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No. 38] NEW DELHI, SEPTEMBER 13-SEPTEMBER 19, 2009, SATURDAY/BHADRA 22-BHADRA 28, 1931

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृष्ठक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्यिक, लोक शिकायत तथा पेंशन मंत्रालय
(कार्यिक और प्रशिक्षण विभाग)

नई दिल्ली, 29 अगस्त, 2009

का.आ. 2523.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की धारा 6 के अन्तर्गत धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए झारखण्ड राज्य सरकार, गृह विभाग की दिनांक 25-8-2009 के ज्ञापन सं. 3297 द्वारा प्राप्त सहमति से भारतीय दण्ड संहिता की धारा 120-बी, 420, 467, 468, 471 तथा 13(1)(सी) के साथ पठित धारा 13(2) तथा भ्रष्टाचार निवारण अधिनियम, 1988 की धारा 13(1)(डी) के अंतर्गत डॉ. प्रदीप कुमार, भा.प्र.से. तत्कालीन सचिव, स्वास्थ्य, झारखण्ड सरकार, डॉ. विजय शंकर नारायण सिंह तत्कालीन राज्य आर.सी.एच. आफिसर, झारखण्ड तथा सरकारी अधिकारियों सहित अन्यो तथा प्राइवेट व्यक्तियों द्वारा कथित रूप से किए गए अपराधों के संबंध में तथा उसी संव्यवहार के अनुक्रम में किए गए अथवा इन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार सम्पूर्ण झारखण्ड राज्य के संबंध में करती है।

[सं. 228/43/2009-एवीडी-II]

चन्द्र प्रकाश, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC
GRIEVANCES AND PENSIONS
(Department of Personnel and Training)

New Delhi, the 29th August, 2009

S.O. 2523—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Jharkhand, Home Department conveyed vide Memo No. 3297 dated 25-8-2009, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Jharkhand for the investigation of offences punishable U/s 120-B, 420, 467, 468, 471 IPC and Section 13(2) r/w 13(1) C and 13(1)(d) of Corruption Act, 1988, allegedly committed by Dr. Pradeep Kumar, IAS, the then Secretary, Health, State Government of Jharkhand, Dr. Vijay Shankar Narain Singh, the then State RCH Officer, Jharkhand and others including Government officials and Private persons and any other offence committed in the course of and consequent to the same transaction or arising out of the same fact in the aforesaid transactions.

[No. 228/43/2009-AVD-II]

CHANDRA PRAKASH, Under Secy.

दिल्ली, 1 सितम्बर, 2009

2524.—केंद्रीय सरकार, एतद्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, जोधपुर में राजस्थान उच्च न्यायालय में दिल्ली विशेष पुलिस स्थापना द्वारा अन्वेषण किए जा रहे मामलों में अभियोजन, अपील, पुनरीक्षण या मामलों से उद्भूत अन्य प्रक्रियाओं का संचालन करने के लिए श्री पन्नी सिंह, एडवोकेट, जोधपुर में राजस्थान उच्च न्यायालय में केंद्रीय अन्वेषण ब्यूरो के प्रतिधारक काउंसिल को विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 225/10/2009-एवीडी-II]

चन्द्र प्रकाश, अवर सचिव

New Delhi, the 1st September, 2009

S.O. 2524.—In exercise of the powers conferred by the provisions of sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri Panney Singh, Advocate, a Retainer Counsel of Central Bureau of Investigation, in the Rajasthan High Court at Jodhpur as Special Public Prosecutor, for conducting prosecution, appeals, revision or other matter arising out of the cases investigated by the Delhi Special Police Establishment in the Rajasthan High Court at Jodhpur.

[No. 225/10/2009-AVD-II]

CHANDRA PRAKASH, Under Secy.

नई दिल्ली, 2 सितम्बर, 2009

का.आ. 2525.—केंद्रीय सरकार, एतद्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित अधिवक्ताओं को बिहार राज्य में पटना में विचारण न्यायालयों में दिल्ली विशेष पुलिस स्थापना (के.अ.ब्यूरो) द्वारा संस्थित और केंद्रीय अन्वेषण ब्यूरो द्वारा उन्हें सौंपे गए मामलों के अभियोजन और विधि द्वारा स्थापित पुनरीक्षण अथवा अपील न्यायालयों में इन मामलों से उद्भूत अपीलों/पुनरीक्षणों अथवा अन्य विषयों का संचालन करने के लिए विशेष लोक अभियोजक के रूप में नियुक्त करती है :-

सर्वश्री

1. मनोरंजन प्रसाद सिंह
2. कृष्णेश्वर दयाल
3. चंद्र मोहन प्रसाद सिंह
4. सुभाष चंद्र भारद्वाज
5. बिनय कुमार सिन्हा

[सं. 225/49/2008-एवीडी-II]

चन्द्र प्रकाश, अवर सचिव

New Delhi, the 2nd September, 2009

S.O. 2525.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government

hereby appoints following Advocates, as Special Public Prosecutor, for conducting the prosecution, of cases instituted by the Delhi Special Police Establishment (CBI) in the State of Bihar at Patna as entrusted to them by the Central Bureau of Investigation in the trial courts and appeals/revision or other matter arising out of these cases in revisional or appellate courts established by law :-

S/Shri

1. Manoranjan Prasad Singh
2. Krishneshwar Dayal
3. Chandra Mohan Prasad Singh
4. Subhash Chandra Bhardwaj
5. Binay Kumar Sinha.

[No. 225/49/2008-AVD-II]

CHANDRA PRAKASH, Under Secy.

नई दिल्ली, 7 सितम्बर, 2009

का.आ. 2526.—केंद्रीय सरकार, एतद्वारा अपराध प्रक्रिया संहिता, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महाराष्ट्र राज्य के मुम्बई में दिल्ली विशेष पुलिस स्थापना (सी.बी.आई.) द्वारा संस्थापित मामलों के सम्बन्ध में जैसा कि उन्हें केंद्रीय अन्वेषण ब्यूरो द्वारा सौंपे गए कार्य के सम्बन्ध में विधि द्वारा स्थापित पुनरीक्षण अथवा अपीलीय न्यायालयों में अपील/पुनरीक्षण सम्बन्धी कार्य का संचालन करने के लिए निम्नोक्त एडवोकेट्स को विशेष लोक अभियोजक के रूप में नियुक्त करती है :-

सर्वश्री

1. किरण एन. मकासरे
2. श्रीमती ऊषा किरण मकासरे
3. दीपक मधुकर लाडे
4. सुश्री चिदया कासले
5. श्रीकान्त भीकाजी दुखाण्डे
6. विनोद कुमार एस. काटकर
7. कादरी अब्दुल राउफ जफरमिया

[सं. 225/13/2009-एवीडी-II]

चन्द्र प्रकाश, अवर सचिव

New Delhi, the 7th September, 2009

S.O. 2526.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints the following Advocates, as Special Public Prosecutors, for conducting prosecution of cases instituted by the Delhi Special Police Establishment (CBI) in the State of Maharashtra at Mumbai as entrusted to them by the Central Bureau of Investigation in the trial

courts and appeals/revisions or other matter arising out of these cases in revisional or appellate courts established by law:—

S/Shri

1. Kiran N. Makasare
2. Smt. Usha Kiran Makasare
3. Deepak Madhukar Lade
4. Miss Vidya Kasle
5. Shrikant B. Dukhande
6. Vinod Kumar S. Katkar
7. Kadri Abdul Rauf Jafarmia

[No. 225/13/2009-AVD-II]

CHANDRA PRAKASH, Under Secy.

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 8 सितम्बर, 2009

क्र.आ. 2527.—भारतीय रिजर्व बैंक अधिनियम, 1934 की धारा 8 की उपधारा (4) के साथ पठित उप-धारा (1) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार, एतद्वारा श्रीमती श्यामला गोपीनाथ (जन्म तिथि: 20.6.1949) को 20 जून, 2011 तक, जब वे 62 वर्ष की हो जाएंगी, की अवधि के लिए, या अगले आदेशों तक जो भी पहले हो, भारतीय रिजर्व बैंक के उप-गवर्नर के रूप में पुनः नियुक्त करती हैं।

[फा.सं. 20/14/2004-बी.ओ.-II]

जी.सी. सिंह, उप-सचिव

MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 8th September, 2009

S.O. 2527.—In exercise of the powers conferred by clause (a) of sub-section (1) read with sub-section (4) of Section 8 of the Reserve Bank of India Act, 1934, the Central Government hereby re-appoint Smt. Shyamala Gopinath (DOB: 20-6-1949), as Deputy Governor, Reserve Bank of India for a period up to 20th June, 2011 i.e. till she attains the age of 62 years or until further orders, whichever is earlier.

[F.No. 20/14/2004-BO-I]

G.B.SINGH, Dy. Secy.

सचिव वित्त मंत्रालय, उप-गवर्नर आयुक्त

उदयपुर, 4 सितम्बर, 2009

सं. 12/2009-10

(आयकर)

क्र.आ. 2528.—आयकर अधिनियम, 1961 (1961 की 43 वां) की धारा 10 के खण्ड (23A) की उपखण्ड (iv) के साथ पठित आयकर नियमवली, 1962 के नियम 2A के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य आयकर आयुक्त, उदयपुर एतद्वारा केन्द्र जोन कल्चरल सेंटर, उदयपुर (राजस्थान) को कर निर्धारण वर्ष

2010-11 से 2012-13 तक के लिए नियमितकृत सत्रों के अधीन सत्रों के लिए कर निर्धारण के प्रयोजनार्थ अधिसूचित करते हैं, अर्थात्:-

- (i) कर निर्धारिणी अपनी आय का इस्तेमाल अथवा अपनी आय का इस्तेमाल करने के लिए उनका संचयन पूर्णतया तथा अनन्ततया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- (ii) कर निर्धारिणी उपर्युक्त कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (v) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा विभिन्न तरीकों से अपनी निधि (जबकि, जवाहरात, फर्नीचर आदि के रूप में प्राप्त तथा अनुरक्षित स्वीच्छक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के सम्बन्ध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिरक्षित हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिणी के उद्देश्यों की प्राप्ति के प्रासंगिक नहीं हो अथवा ऐसे कारोबार के सम्बन्ध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हो;
- (iv) कर निर्धारिणी आयकर अधिनियम 1961 के प्रावधानों के अनुसार अपनी आय विवरणी नियमित रूप से आयकर प्रविक्तरी के समक्ष दाखिल करेगा;
- (v) विवरण की स्थिति में इसकी अतिरिक्त सशियां और परिसंपत्तियां समान उद्देश्यों वाले धर्मार्थ संगठन को दे दी जाएगी;

यह अधिसूचना केवल संस्था की ओर से आय के प्राप्तकर्ता पर ही लागू होगी न कि इस तरह के प्राप्तकर्ता द्वारा किसी अन्य प्राप्ति अथवा आय पर। संस्था के आगामी वर्षों के कारोबार अथवा अन्यथा पर, आयकर अधिनियम 1961 के उपधारा के अनुसार पृथक् रूप से विचार किया जावेगा।

[सं.मु.आ.आ./उदय/आ.आ.(तक.)/2009-10/1305]

मुकुंदा भान्नी, मुख्य आयकर आयुक्त

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX,

Udaipur, the 4th September, 2009

NO. 12/2009-10

(INCOME TAX)

S.O. 2528.—In exercise of the powers conferred by sub-section (iv) of Clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961) read with rule 2C of the Income-tax Rules, 1962, 1, Chief Commissioner of Income-tax, Udaipur hereby notify the "West Zone Cultural Centre, Udaipur (Rajasthan)" for the purpose of the said sub-clause for the assessment years 2010-11 to 2012-13 subject to the following conditions, namely.

- (i) The assessee will apply its income, accumulate for application, wholly and exclusively to the objects for which it is established;

- (ii) The assessee will not invest or deposit its fund (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous year relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) This notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business;
- (iv) The assessee will regularly file its return of income before the Income-tax authority in accordance with the provisions of the Income-Tax Act, 1961;
- (v) That in the event of dissolution, its surplus and the assets will be given to a charitable organization with similar objectives;

This notification is applicable only to the recipients of income on behalf of the assessee and not to any other receipt or income of such recipients. Taxability or, otherwise of the income of the assessee would be separately considered as per the provisions of the Income Tax Act, 1961.

[No. CCIT/UDR/ITO (Tech.)2009-10/1305]

MUKESH BHANTI, Chief Commissioner
of Income-tax

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 21 अगस्त, 2009

का.आ. 2529.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय दंत चिकित्सा परिषद् से परामर्श करने के पश्चात् केंद्र सरकार उक्त अधिनियम की अनुसूची के भाग-1 में एतद्द्वारा निम्नलिखित संशोधन करती है, अर्थात् :-

2. राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलूर द्वारा प्रदान की जाने वाली डेंटल डिग्रियों को मान्यता देने के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में कृष्णदेवराय कालेज आफ डेंटल साइंसेज एण्ड हास्पिटल, बेंगलूर के संबंध में क्रम सं. 49 के XVI के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां जोड़ी जाएंगी, अर्थात्:-

कंजर्वेटिव डेंटिस्ट्री	एम.डी.एस. (कंजर्वेटिव डेंटिस्ट्री)
(यदि यह 6-5-2008 को	राजीव गांधी स्वास्थ्य विज्ञान
अथवा उसके उपरान्त प्रदान	विश्वविद्यालय (आरजीयूओएचएस)
की गई हो।)	बेंगलूर "

[फा.सं.वी. 12017/23/2004-डीई]

आर. शंकरन, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 21st August, 2009

S.O. 2529—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 and 3 against XVI of Serial No. 49, in respect of Krishnadevaraya College of Dental Sciences and Hospital, Bangalore in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Rajiv Gandhi University of Health Sciences, Bangalore, the following entries shall be inserted thereunder:—

"Conservative Dentistry (if granted on or after 6-5-2008)	MDS (Con. Dentistry), Rajiv Gandhi University of Health Sciences (RGUOHS), Bangalore"
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[F.No. V. 12017/23/2004-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 21 अगस्त, 2009

का.आ. 2530.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय दंत चिकित्सा परिषद् से परामर्श करने के पश्चात् केंद्र सरकार उक्त अधिनियम की अनुसूची के भाग-1 में एतद्द्वारा निम्नलिखित संशोधन करती है, अर्थात् :-

2. भारती विद्यापीठ विश्वविद्यालय, (सम विश्वविद्यालय), पुणे द्वारा प्रदान की जाने वाली डेंटल डिग्रियों को मान्यता देने के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम सं. 54 के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां जोड़ी जाएंगी, अर्थात्:-

"11. भारती विद्यापीठ डेंटल कालेज एंड हास्पिटल, नवी मुम्बई

(1) दंत शल्य-चिकित्सा स्नातक बीडीएस, भारती विद्यापीठ (यदि यह 26.5.2009 को अथवा विश्वविद्यालय (सम विश्व-उसके उपरान्त प्रदान की गई हो।) विद्यालय), पुणे"

[फा. सं. वी. 12017/32/2003-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 21st August, 2009

S.O. 2530—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2&3 against 54, in Part-I of the Schedule to the Dentists Act, 1948 of

(16 of 1948) pertaining to recognition of dental degrees awarded by Bharati Vidyapeeth University (Deemed University), Pune, the following entries shall be inserted thereunder:—

“II. Bharati Vidyapeeth Dental College and Hospital, Navi Mumbai.

- | | |
|--|--|
| (i) Bachelor of Dental Surgery (if granted on or after 26-5-2009). | BDS, Bharati Vidyapeeth University (Deemed University) Pune” |
|--|--|

[F. No. V. 12017/32/2003-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 24 अगस्त, 2009

का.आ. 2531.—केन्द्रीय सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की अनुसूची के भाग-1 में निम्नलिखित संशोधन करती है, अर्थात् :—

2. महात्मा गांधी विश्वविद्यालय, कोट्टायम के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम सं. 68 के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों में अनूर डेंटल कालेज एंड हॉस्पिटल, एर्नाकुलम, केरल के संबंध में निम्नलिखित प्रविष्टियां जोड़ी जाएंगी, अर्थात् :—

III. अनूर डेंटल कालेज एंड हॉस्पिटल, एर्नाकुलम, केरल

(1) दंत शल्य-चिकित्सा स्नातक बीडीएस, महात्मा गांधी (यदि यह 19-11-2008 को अथवा विश्वविद्यालय, कोट्टायम इसके उपरान्त प्रदान की गई हो।)

[फा. सं. वी. 12017/38/2001-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 24th August, 2009

S.O. 2531—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 and 3 against Serial No. 68, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to Mahatma Gandhi University Kottayam, the following entries in respect of Anoor Dental College and Hospital, Ernakulam Kerala shall be inserted thereunder:—

“III. Anoor Dental College and Hospital, Ernakulam, Kerala

- | | |
|--|--|
| (i) Bachelor of Dental Surgery (if granted on or after 19-11-2008) | BDS, Mahatma Gandhi University, Kottayam |
|--|--|

[F. No. V. 12017/38/2001-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 24 अगस्त, 2009

का.आ. 2532.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय दंत चिकित्सा परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की अनुसूची के भाग-1 में निम्नलिखित संशोधन करती है, अर्थात् :—

2. अन्नामलाई विश्वविद्यालय, अन्नामलाई नगर द्वारा प्रदान दंत चिकित्सा डिग्रियों की मान्यता के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम संख्या 24 के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों में राजा मुथिया डेंटल कालेज और अस्पताल, अन्नामलाई नगर, तमिलनाडु के संबंध में निम्नलिखित प्रविष्टियां अन्तः स्थापित की जाएंगी :—

कंजवेटिव डेंटिस्ट्री	एमडीएस (कंजर्वेटिव डेंटिस्ट्री)
(यदि यह 12-5-2009 को अथवा उसके उपरान्त प्रदान की गई हो।)	अन्नामलाई विश्वविद्यालय

ओरल मेडिसिन	एमडीएस (ओरल मेडिसिन)
(यदि यह 19-5-2009 को अथवा उसके उपरान्त प्रदान की गई हो।)	अन्नामलाई विश्वविद्यालय

“मुख विकृति विज्ञान	एमडीएस (मुख विकृति विज्ञान)
(यदि यह 19-5-2009 को अथवा उसके उपरान्त प्रदान की गई हो।)	अन्नामलाई विश्वविद्यालय

[फा. सं. वी. 12017/6/2005-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 24th August, 2009

S.O. 2532—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 and 3 against Serial No. 24, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Annamalai University Annamalai Nagar, the following entries in respect of Rajah Muthiah Dental College and Hospital, Annamalai Nagar, Tamil Nadu, shall be inserted thereunder:—

“Conservative Dentistry (if granted on or after 12-5-2009)	MDS(Cons.Dentistry), Annamalai University
-Oral Medicine (if granted on or after 19-5-2009)	MDS (Oral Medicine), Annamalai University
-Oral Pathology (if granted on or after 19-5-2009)	MDS (Oral Pathology), Annamalai University”

[F. No. V. 12017/6/2005-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 24 अगस्त, 2009

का.आ. 2533.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय दंत चिकित्सा परिषद् से परामर्श करने के बाद उक्त अधिनियम की अनुसूची के भाग-1 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :—

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम सं. 81 के बाद निम्नलिखित क्रम सं. और प्रविष्टियां जोड़ी जाएंगी, अर्थात् :—

“82. धर्मसिंह देसाई विश्वविद्यालय, नादियाड़	1. दंत चिकित्सा विज्ञान संकाय धर्मसिंह देसाई विश्वविद्यालय, नादियाड़	बी डी एस धर्मसिंह देसाई विश्वविद्यालय, नादियाड़
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(i) दंत शल्य क्रिया स्नातक (यदि यह 21-4-2009 को अथवा उसके बाद प्रदान की गई हो।)

[फा. सं. वी. 12017/42/2003-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 24th August, 2009

S.O. 2533—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In Part-I of the schedule to the Dentists Act, 1948 (16 of 1948) after Serial No. 81, the following Serial number and entries shall be inserted namely :—

“82. Dharmsinh Desai University Nadiad	1 Faculty of Dental Sciences Dharmsinh Desai University Nadiad
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(i) Bachelor of Dental Surgery B.D.S., Dharmsinh Dasai University, Nadiad (if granted on or after 21-4-2009)

[F. No. V. 12017/42/2003-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 24 अगस्त, 2009

का.आ. 2534.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय दंत चिकित्सा परिषद् से परामर्श करने के पश्चात् केन्द्र सरकार उक्त अधिनियम की अनुसूची के भाग-1 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :—

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम सं. 80 के बाद निम्नलिखित क्रमांक और प्रविष्टियां रखी जाएंगी, अर्थात् :—

“81. रानी दुर्गावती विश्वविद्यालय, जबलपुर

(i) दंत शल्य-चिकित्सा स्नातक (यदि यह 15-5-2009 को अथवा उसके बाद प्रदान की गई हो।)

1. हितकारनी डेंटल कॉलेज एण्ड हॉस्पिटल, जबलपुर

बीडीएस, रानी दुर्गावती विश्वविद्यालय।”

[फा. सं. वी. 12017/14/2000-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 24th August, 2009

S.O. 2534—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) after Serial No. 80, the following Serial number and entries shall be inserted, namely :—

“81. Rani Durgawati Vishwavidyalaya, Jabalpur	1. Hitkarini Dental College and Hospital, Jabalpur
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(i) Bachelor of Dental Surgery B.D.S., Rani Durgawati Vishwavidyalaya.” (if granted on or after 15-5-2009)

[F.No. V. 12017/14/2000-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 25 अगस्त, 2009

का.आ. 2535.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय दंत चिकित्सा परिषद् से परामर्श करने के बाद एतद्वारा उक्त अधिनियम की अनुसूची के भाग-1 में निम्नलिखित संशोधन करती है, अर्थात् :—

2. बाबा फरीद स्वास्थ्य विज्ञान विश्वविद्यालय, फरीदकोट, पंजाब द्वारा प्रदत्त दंत चिकित्सा डिग्रियों की मान्यता के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम सं. 53 के V के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों में गुरु नानक देव डेंटल कालेज एवं अनुसंधान संस्थान, सुनाम, पंजाब के संबंध में निम्नलिखित प्रविष्टियां अन्तःस्थापित की जाएंगी :—

“दन्त चिकित्सा विभाग”

- (i) पेडोडॉन्टिक्स एमडीएस (पेडो.)
(यदि यह 17-6-2009 को
अथवा उसके बाद प्रदान की
गई हो।) बाबा फरीद स्वास्थ्य विज्ञान
विश्वविद्यालय, फरीदकोट,
पंजाब
- (ii) मुख आयुर्विज्ञान एमडीएस (मुख आयुर्विज्ञान)
(यदि यह 20-6-2009 को
अथवा उसके बाद प्रदान की
गई हो।) बाबा फरीद स्वास्थ्य विज्ञान
विश्वविद्यालय, फरीदकोट,
पंजाब
- (iii) आर्थोडॉन्टिक्स एमडीएस (आर्थो.)
(यदि यह 20-6-2009 को
अथवा उसके बाद प्रदान की
गई हो।) बाबा फरीद स्वास्थ्य विज्ञान
विश्वविद्यालय, फरीदकोट,
पंजाब
- (iv) कंजरवेटिव डेंटिस्ट्री एमडीएस (कंजर. डेंटिस्ट्री)
(यदि यह 23-6-2009 को
अथवा उसके बाद प्रदान की
गई हो।) बाबा फरीद स्वास्थ्य विज्ञान
विश्वविद्यालय, फरीदकोट,
पंजाब
- (v) पेरियोडॉन्टिक्स एमडीएस (पेरियो.)
(यदि यह 27-6-2009 को
अथवा उसके बाद प्रदान की
गई हो।) बाबा फरीद स्वास्थ्य विज्ञान
विश्वविद्यालय, फरीदकोट,
पंजाब
- (vi) प्रोस्थोडॉन्टिक्स एमडीएस (प्रोस्थो.)
(यदि यह 27-6-2009 को
अथवा उसके बाद प्रदान की
गई हो।) बाबा फरीद स्वास्थ्य विज्ञान
विश्वविद्यालय, फरीदकोट,
पंजाब

[फा. सं. ची. 12017/18/2005-डी ई]
आर. शंकरन, अवर सचिव

New Delhi, the 25th August, 2009

S.O. 2535—In exercise of the powers conferred by sub-section (2) of Section 18 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against V of Serial No. 53, in respect of Guru Nanak Dev Dental College & Research Institute, Sunam, Punjab in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Baba Farid University of Health Sciences, Faridkot, Punjab, the following entries shall be inserted thereunder:—

“Master of Dental Surgery

- (i) Pedodontics MDS(Pedo.), Baba Farid University
(if granted on or after 17-6-2009) of Health Sciences, Faridkot,
Punjab
- (ii) Oral Medicine MDS(Oral Med.), Baba Farid
(if granted on or after 20-6-2009) University of Health Sciences,
Faridkot, Punjab
- (iii) Orthodontics MDS(Ortho.), Baba Farid
(if granted on or after 20-6-2009) University of Health Sciences,
Faridkot, Punjab
- (iv) Conservative Dentistry MDS(Con. Dentistry), Baba Farid
(if granted on or after 23-6-2009) University of Health Sciences,
Faridkot, Punjab
- (v) Periodontics MDS(Perio.), Baba Farid
(if granted on or after 27-6-2009) University of Health Sciences,
Faridkot, Punjab
- (vi) Prosthodontics MDS(Prosth.), Baba Farid
(if granted on or after 27-6-2009) University of Health Sciences,
Faridkot, Punjab”

[F.No. V. 12017/18/2005-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 27 अगस्त, 2009

का.आ. 2535.—दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 18 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय दंत चिकित्सा परिषद् से परामर्श करने के पश्चात् केन्द्र सरकार उक्त अधिनियम की प्रथम अनुसूची के भाग-1 में निम्नलिखित और संशोधन करती है, अर्थात्:—

2. राजीव गांधी स्वास्थ्य विज्ञान विश्वविद्यालय, बेंगलूर द्वारा प्रदान की जाने वाली डॉटल डिग्रियों को सम्बन्ध देने के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में एड्.सी.एस. सम्बन्धि दंत चिकित्सक कॉलेज एवं अनुसंधान केन्द्र, बेंगलूर के संबंध में क्रम सं. 49 के XIV के सम्मने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां जोड़ी जाएंगी, अर्थात्:—

“ओरल सर्जरी एम.डी.एस. (ओरल सर्जरी),
(यदि यह 23-5-2009 को राजीव गांधी स्वास्थ्य विज्ञान
अथवा उसके उपरांत प्रदान विश्वविद्यालय, बेंगलूर
की गई हो।)

—प्रोस्थोडॉन्टिक्स एम.डी.एस. (प्रोस्थो.),
(यदि यह 23-5-2009 को राजीव गांधी स्वास्थ्य विज्ञान
अथवा उसके उपरांत प्रदान विश्वविद्यालय, बेंगलूर”
की गई हो।)

[फा. सं. ची. 12017/8/2004-डी ई]

आर. शंकरन, अवर सचिव

New Delhi, the 27th August, 2009

S.O. 2536.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against XIV of Serial No. 49, in respect of A.E.C.S. Maaruti College of Dental Sciences & Research Centre, Bangalore in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by

Rajiv Gandhi University of Health Sciences, Bangalore, the following entries shall be inserted thereunder:—

“—Oral Surgery (if granted on or after 23-5-2009)	MDS (Oral Surgery), Rajiv Gandhi University of Health Sciences Bangalore
—Prosthodontics (if granted on or after 23-5-2009)	MDS (Prosthodontics), Rajiv Gandhi University of Health Sciences Bangalore”

[F. No. V. 12017/8/2004-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 27 अगस्त, 2009

का.आ. 2537.— दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय दंत चिकित्सा परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की अनुसूची के भाग-1 में एतद् द्वारा निम्नलिखित संशोधन करती है, अर्थात् :-

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में आई.टी.एस. सेन्टर फार डेंटल स्टडीज एंड रिसर्च, मुराद नगर, गाजियाबाद द्वारा प्रदत्त डेंटल डिग्रियों को मान्यता दिए जाने के संबंध में चौधरी चरण सिंह विश्वविद्यालय, मेरठ के बारे में क्रमांक 56 के II के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां उसके अंतर्गत रखी जाएंगी :-

(ii) दंत शल्य-चिकित्सा निष्णात

प्रोस्थोडोन्टिक्स

(यदि 12-6-2009 को या उसके बाद प्रदान की गई हो।)

एमडीएस (प्रोस्थो.) चौधरी चरण सिंह विश्वविद्यालय, मेरठ,
उत्तर प्रदेश

कन्जरवेटिव डेनटिस्ट्री

(यदि 12-6-2009 को या उसके बाद प्रदान की गई हो।)

एमडीएस (कन. डेनटिस्ट्री) चौधरी चरण सिंह विश्वविद्यालय, मेरठ,
उत्तर प्रदेश

(vi) आर्थोडोन्टिक्स

(यदि 17-6-2009 को या उसके बाद प्रदान की गई हो।)

एमडीएस (आर्थो.) चौधरी चरण सिंह विश्वविद्यालय, मेरठ, उत्तर
प्रदेश

(vii) ओरल सर्जरी

(यदि 17-6-2009 को या उसके बाद प्रदान की गई हो।)

एमडीएस (ओरल सर्जरी) चौधरी चरण सिंह विश्वविद्यालय, मेरठ,
उत्तर प्रदेश

पेरियोडोन्टिक्स

(यदि 20-6-2009 को या उसके बाद प्रदान की गई हो।)

एमडीएस (पेरियोडोन्टिक्स) चौधरी चरण सिंह विश्वविद्यालय, मेरठ,
उत्तर प्रदेश

[फा.सं. वी. 12017/71/2005-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 27th August, 2009

S.O. 2537.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against II of Serial No. 56, in respect of I.T.S. Centre for Dental Studies & Research, Murad Nagar, Ghaziabad, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition

of dental degree awarded by Chaudhary Charan Singh University Meerut, the following entries shall be inserted thereunder:—

(II) Master of Dental Surgery**Prosthodontics**

(if granted on or after 12-6-2009)

MDS, (Prosthodontics) Ch. Charan Singh University Meerut, Uttar Pradesh

Conservative Dentistry

(if granted on or after 12-6-2009)

MDS, (Cons. Dentistry) Ch. Charan Singh University Meerut, Uttar Pradesh

Orthodontics

(if granted on or after 17-6-2009)

MDS, (Orthodontics) Ch. Charan Singh University Meerut, Uttar Pradesh

Oral Surgery

(if granted on or after 17-6-2009)

MDS, (Oral Surgery) Ch. Charan Singh University Meerut, Uttar Pradesh

Periodontics

(if granted on or after 20-6-2009)

MDS, (Perio.) Ch. Charan Singh University Meerut, Uttar Pradesh

[F.No.V.12017/71/2005-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 27 अगस्त, 2009

का.अ. 2538.— दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय दंत चिकित्सा परिषद् से परामर्श करने के पश्चात् केन्द्र सरकार उक्त अधिनियम प्रथम की अनुसूची के भाग-1 में एतद् द्वारा निम्नलिखित और संशोधन करती है, अर्थात् :—

2. डा. आर एम एल अवध विश्वविद्यालय, फैजाबाद, उत्तर प्रदेश द्वारा प्रदान की जाने वाली डेंटल डिग्रियों को मान्यता देने के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में सरस्वती डेंटल कॉलेज, लखनऊ के संबंध में क्रम सं. 55 के 11 के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां जोड़ी जाएंगी अर्थात् :—

“(II) दंत शाल्य-चिकित्सा विभागात्**कन्सर्वेटिव डेंटिस्ट्री**

(यदि यह 14-10-2008 को अथवा इसके उपरान्त प्रदान की गई हो।)

एम.डी.एस. (कन्सर्वेटिव डेंटिस्ट्री) डा. आर एम एल अवध विश्वविद्यालय, फैजाबाद, उत्तर प्रदेश

ओरल सर्जरी

(यदि यह 21-10-2008 को अथवा इसके उपरान्त प्रदान की गई हो।)

एम.डी.एस. (ओरल सर्जरी) डा. आर एम एल अवध विश्वविद्यालय, फैजाबाद, उत्तर प्रदेश

आर्थोडोन्टिक्स

(यदि यह 16-10-2008 को अथवा इसके उपरान्त प्रदान की गई हो।)

एम.डी.एस. (आर्थोडोन्टिक्स) डा. आर एम एल अवध विश्वविद्यालय, फैजाबाद, उत्तर प्रदेश

पेडोन्टिक्स

(यदि यह 23-10-2008 को अथवा इसके उपरान्त प्रदान की गई हो।)

एम.डी.एस. (पेडोन्टिक्स) डा. आर एम एल अवध विश्वविद्यालय, फैजाबाद, उत्तर प्रदेश

[फ.सं.वी. 12017/56/2003-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 27th August, 2009

S.O. 2538.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against II of Serial No.55, in respect of Saraswati Dental College, Lucknow, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degree awarded by Dr. RML Avadh University, Faizabad, U.P., the following entries shall be inserted thereunder :—

“(II) Master of Dental Surgery

Conservative Dentistry
(if granted on or after 14-10-2008)

MDS, (Cons. Dentistry) Dr. RML Avadh University
Faizabad, Uttar Pradesh

Oral Surgery
(if granted on or after 21-10-2008)

MDS, (Oral Surgery) Dr. RML Avadh University
Faizabad, Uttar Pradesh

Orthodontics
(if granted on or after 16-10-2008)

MDS, (Orthodontics) Dr. RML Avadh University
Faizabad, Uttar Pradesh

Peddontics
(if granted on or after 23-10-2008)

MDS, (Pedo.) Dr. RML Avadh University
Faizabad, Uttar Pradesh”

[F.No. V. 12017/56/2003-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 27 अगस्त, 2009

का.आ. 2539.—केन्द्र सरकार दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय दंत चिकित्सा परिषद् से परामर्श करने के बाद एतद्द्वारा उक्त अधिनियम की अनुसूची के भाग-1 में निम्नलिखित संशोधन करती है; अर्थात् :—

2. दिल्ली विश्वविद्यालय, दिल्ली द्वारा प्रदत्त दन्त चिकित्सा डिग्रियों की मान्यता दन्त चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में क्रम संख्या 27, के सामने स्तंभ 2 और 3 की मौजूदा प्रविष्टियों में डेंटल सेंटर, आर्मी अस्पताल (आर एंड आर), नई दिल्ली के संबंध में निम्नलिखित प्रविष्टियां अन्तः स्थापित की जाएंगी :—

“दंत शल्य-चिकित्सा निष्णात

(i) एमडीएस (प्रोस्थोडॉंटिक्स)

एमडीएस (प्रोस्थोडॉंटिक्स) दिल्ली विश्वविद्यालय”

(यदि यह 26-6-2009 को अथवा उसके बाद प्रदान की गई हो)

[फा. सं. वी. 12017/35/2005-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 27th August, 2009

S.O. 2539.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 27, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by University of Delhi, Delhi, the following entries in respect of Dental Centre, Army Hospital (R. & R.), New Delhi, shall be inserted thereunder :—

“Master of Dental Surgery

(i) MDS (Prosthodontics)
(if granted on or after 26-6-2009)

MDS (Prosthodontics) University of Delhi”

[F.No. V. 12017/35/2005-DE]

R. SANKARAN, Under Secy.

नई दिल्ली, 27 अगस्त, 2009

का.आ. 2540.— दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारतीय दंत चिकित्सा परिषद् से परामर्श करने के पश्चात् उक्त अधिनियम की अनुसूची के भाग-1 में एतद्द्वारा

निम्नलिखित संशोधन करती है; अर्थात् :—

2. दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में एन.टी.आर. स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश द्वारा प्रदत्त डेंटल डिग्रियों को मान्यता दिए जाने के संबंध में श्री साइ दंतशल्यचिकित्सा महाविद्यालय, आंध्र प्रदेश के बारे में क्रमांक 50, के IV के सामने स्तम्भ 2 और 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियाँ उसके अंतर्गत रखी जाएंगी :—

“दंत शल्य-चिकित्सा निष्णात

(i) परियोडोन्टिक्स (यदि 21-4-2009 को या उसके बाद प्रदान की गई हो।)	एमडीएस (पेरियो.) एन.टी.आर. स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश
(ii) कन्जर्वेटिव डेनटिस्ट्री (यदि 21-4-2009 को या उसके बाद प्रदान की गई हो।)	एमडीएस (कन्जर्वेटिव डेनटिस्ट्री) एन.टी.आर. स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश
(iii) प्रोस्थोडोन्टिक्स (यदि 21-4-2009 को या उसके बाद प्रदान की गई हो।)	एमडीएस (प्रोस्थो.) एन.टी.आर. स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश
(iv) आर्थोडोन्टिक्स (यदि 21-4-2009 को या उसके बाद प्रदान की गई हो।)	एमडीएस (आर्थोडोन्टिक्स) एन.टी.आर. स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश
(v) ओरल सर्जरी (यदि 21-4-2009 को या उसके बाद प्रदान की गई हो।)	एमडीएस (ओरल सर्जरी) एन.टी.आर. स्वास्थ्य विज्ञान विश्वविद्यालय, विजयवाड़ा, आंध्र प्रदेश”

[फा. सं. वी. 12017/21/2006-डीई]

आर. शंकरन, अवर सचिव

New Delhi, the 27th August, 2009

S.O. 2540.—In exercise of the powers conferred by sub-section (2) of Section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with the Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against IV of Serial No.50, in respect of Sri Sai College of Dental Surgery, Vikarabad, Andhra Pradesh in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by N.T.R. University of Health Sciences, Vijayawada, Andhra Pradesh, the following entries shall be inserted thereunder :—

“ Master of Dental Surgery

(i) Periodontics (if granted on or after 21-4-2009)	MDS, (Perio.), N.T.R. University of Health Sciences, Vijayawada, Andhra Pradesh
(ii) Conservative Dentistry (if granted on or after 21-4-2009)	MDS, (Con. Dentistry), N.T.R. University of Health Sciences, Vijayawada, Andhra Pradesh
(iii) Prosthodontics (if granted on or after 21-4-2009)	MDS, (Prosth.), N.T.R. University of Health Sciences, Vijayawada, Andhra Pradesh
(iv) Orthodontics (if granted on or after 21-4-2009)	MDS, (Ortho.), N.T.R. University of Health Sciences, Vijayawada, Andhra Pradesh
(v) Oral Surgery (if granted on or after 21-4-2009)	MDS, (Oral Surgery), N.T.R. University of Health Sciences, Vijayawada, Andhra Pradesh”

[F.No. V. 12017/21/2006-DE]

R. SANKARAN, Under Secy.

संचार एवं सूचना प्रौद्योगिकी मंत्रालय

(डाक विभाग)

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2541.—राजभाषा नियम (संघ के शासकीय प्रयोजनों के लिए प्रयोग), 1976 के नियम-10 के उप नियम (4) के अनुसरण में केन्द्र सरकार, डाक विभाग के निम्न : अधीनस्थ कार्यालयों को जिसके 80 प्रतिशत कर्मचारियों (ग्रुप 'घ' कर्मचारियों को छोड़कर) ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

क्र.सं.	कार्यालय का नाम (डाकघर)	पिन कोड
(1)	(2)	(3)
1.	परिमंडलीय कार्यालय राँची	834002
2.	राँची मंडलीय कार्यालय	834001
3.	राँची जी.पी.ओ.	834001
4.	बेड़ों	835202
5.	ब्राम्हे	835205
6.	चर्चरोड	834001
7.	चुटिया	834001
8.	हरमू हाउसिंग कॉलोनी	834002
9.	हेहल	834005
10.	हिन्दपीढी	834001
11.	इन्द्रपुरी कॉलोनी	834001
12.	ईटकी	835301
13.	कांके	834006
14.	कांके रोड	834001
15.	कांटा टोली	834001
16.	कोकर	834001
17.	लालपुर	834001
18.	लोअर बाजार	834001
19.	मांडर	835214
20.	मेसरा	835215
21.	भोराबादी	834008
22.	एन.सी.डी.सी.	834001
23.	नेवरी बिकास विद्यालय	835217
24.	ओरमांझी	835219
25.	ओ.सी.सी.	834002
26.	फिस्का नगड़ी	835303
27.	राँची एग्रीकल्चर कॉलेज	834006
28.	राँची कोर्ट	834001

(1)	(2)	(3)
29.	राँची मेडिकल कॉलेज	834009
30.	आर. एम. सी. सी.	834009
31.	राँची यूनिवर्सिटी	834009
32.	रातू	835222
33.	डोरण्डा एच ओ	834002
34.	ए. जी. विहार	834002
35.	अशोक नगर	834002
36.	बुण्डू	835204
37.	छोटामुरी	835101
38.	धुर्वा	834004
39.	गोविन्दपुर	834004
40.	हटिया	834003
41.	एच.ई.सी.ए.डी.एम. बिल्डिंग	834004
42.	एच. ई. सी. ए. पी. पी. होस्टल	834004
43.	एच. ई. सी. कॉलोनी	834004
44.	एच. ई.सी. एक्सपर्ट होस्टल	834004
45.	एच. एस. एल. कॉलोनी	834002
46.	हिन्नु	834002
47.	जगन्नाथ नगर कॉलोनी	834004
48.	झारखण्ड विधान सभा	834002
49.	हाईकोर्ट उप डाकघर	834002
50.	करा	835209
51.	खूँटी	835210
52.	मुरहू	835216
53.	नामकुम	834010
54.	रेलवे कॉलोनी हटिया	834003
55.	रामकृष्ण सेनेटोरियम	834003
56.	राँची एअर पोर्ट	834002
57.	सेटेलाईट कॉलोनी	834004
58.	सिल्ली	835102
59.	तमार	835225
60.	टाटीसिल्वे	835103
61.	तोरपा	835227
62.	गुमला एच. ओ.	835207
63.	भरनों	835203
64.	बसिया	835229
65.	बिसनपुर	835231
66.	चैनपुर	835206
67.	गुमला बाजार	835207

(1)	(2)	(3)	(1)	(2)	(3)
68.	घाघारा	835208	103.	केवल टाउनशिप	831003
69.	कार्तिक उराँव कॉलेज	835207	104.	चाकुलिया	832301
70.	नवागढ़	835232	105.	चनदिल	832401
71.	नोआडीह	835230	106.	चौका	832404
72.	पालकोट	835220	107.	दालभूमगढ़	832301
73.	सिसई	835324	108.	गम्हरिया	832108
74.	टोटो	835233	109.	घाटशीला	832303
75.	लोहरदगा	835302	110.	गोलमुरी	831003
76.	कुरु	835213	111.	गोविन्दपुर हाउसिंग कॉलोनी	831015
77.	नेतरहाट	835218	112.	इन्द्रनगर	831008
78.	लोहरदगा बाजार	835302	113.	जादूगोडा माईन्स	832102
79.	लोहरदगा कोर्ट	835302	114.	जुगसलाई	831006
80.	सिमडेगा	835223	115.	कदमा	831005
81.	बानों	835201	116.	कालीमाटी मार्केट	831004
82.	बिरु	835228	117.	कान्डा उप डाकघर	832402
83.	गोतरा	835235	118.	महुलिया उप डाकघर	832304
84.	कोलेबिरा	835211	119.	मानगो उप डाकघर	831012
85.	कुरुडेगा	835212	120.	मउमंडार उप डाकघर	831012
86.	ठेठई टांगर	835226	121.	मुसाबनी माईन्स उप डाकघर	832108
	आर. एम. एस., आर एन मंडल राँची		122.	एम. जी. एम. मेडिकल कॉलेज उप डाकघर	831010
87.	अधीक्षक कार्यालय रेल डाक सेवा राँची	834001	123.	एन. एस. एल. उप डाकघर	831007
88.	प्रधान अभिलेख पदाधिकारी राँची		124.	पटमदा उप डाकघर	832105
89.	उप अभिलेख पदाधिकारी कार्यालय रेल डाक सेवा टाटानगर		125.	प्लाजा मार्केट उप डाकघर	831004
90.	उप अभिलेख पदाधिकारी कार्यालय रेल डाक सेवा, बी. एस. सी. टी.		126.	राहरगोरा उप डाकघर	831016
91.	उप अभिलेख पदाधिकारी कार्यालय, रेल डाक सेवा, डालटेनगंज	822101	127.	राखा कॉपर प्रोजेक्ट उप डाकघर	832106
	सिंहभूम मंडल जमशेदपुर		128.	आर. आई. टी. उप डाकघर	831014
92.	जमशेदपुर मंडलीय कार्यालय	831001	129.	साकची उप डाकघर	831001
93.	जमशेदपुर एच. ओ.	831001	130.	साकची कोर्ट उप डाकघर	831001
94.	आदित्यपुर उप डाकघर	831013	131.	सोनारी उप डाकघर	831011
95.	आदित्यपुर इन्डस्ट्रियल एरिया	832109	132.	सुन्दर नगर उप डाकघर	832107
96.	एग्रिको उप डाकघर	831009	133.	टाटानगर उप डाकघर	831002
97.	आजाद नगर उप डाकघर	832110	134.	टेल्को जी एम एस उप डाकघर	831010
98.	बइसगोडा उप डाकघर	832101	135.	टेल्को वर्क्स उप डाकघर	831004
99.	बारीडीह कॉलोनी उप डाकघर	831017	136.	तिरूल डीह उप डाकघर	832403
100.	विष्टुपुर बाजार उप डाकघर	831001	137.	चाईबासा एच. ओ. उप डाकघर	833201
101.	विष्टुपुर गेट उप डाकघर	831001	138.	आमजा उप डाकघर	833101
102.	बर्मा माईन्स उप डाकघर	831007	139.	बारी बाजार उप डाकघर	833201
			140.	बारा जामदा उप डाकघर	833102
			141.	चक्रधरपुर उप डाकघर	833102
			142.	चक्रधरपुर बाजार उप डाकघर	833102

(1)	(2)	(3)
143.	चक्रधरपुर कॉलोनी उप डाकघर	833102
144.	चिरिया उप डाकघर	833106
145.	डानगोआ पोसी उप डाकघर	833212
146.	डी. एस. ई. चाईबासा उप डाकघर	833201
147.	सोयलकेरा उप डाकघर	833101
148.	गोआ उप डाकघर	833103
149.	हाटगमरिया उप डाकघर	833214
150.	जगन्नाथपुर उप डाकघर	833203
151.	झीकपानी उप डाकघर	833215
152.	खरसावाँ गढ़ उप डाकघर	833216
153.	किरीबुरू बेस कैम्प उप डाकघर	833222
154.	मनोहरपुर उप डाकघर	833104
155.	नोआमुण्डी उप डाकघर	833217
156.	नोआमुण्डी बाजार उप डाकघर	833217
157.	सराईकेला उप डाकघर	833219
158.	सिनी उप डाकघर	833220
159.	सोनुआ उप डाकघर	833105
160.	टाटा कॉलेज चाईबासा उप डाकघर	833201
161.	अधीक्षक, कार्यालय डाकवस्तु भंडार रांची	834002
अधीक्षक रेल डाक सेवा डी. एच. मंडल धनबाद		
162.	रेल डाक सेवा हजारीबाग रोड	825320
163.	रेल डाक सेवा कोडरमा	825409
164.	रेल डाक सेवा धनबाद	826001
165.	रेल डाक सेवा जसीडीह	814142
166.	रेल डाक सेवा साहेबगंज	816109
167.	प्रमण्डलीय कार्यालय गिरिडीह	815301
168.	मकतपुर उप डाकघर	815301
169.	बरगण्डा उप डाकघर	815301
170.	गिरिडीह बाजार उप डाकघर	815301
171.	राजधनवार उप डाकघर	825414

[सं. 11017-1/2009-रा.भा.]

मीरा हांडा, उप महानिदेशक (पी.ओ. एवं आई/रा.भा.)

MINISTRY OF COMMUNICATIONS AND IT

(Department of Posts)

New Delhi, the 28th August, 2009

S.O. 2541.—In pursuance of Rule 10(4) of the Official Language (use for official purposes of the Union) Rule 1976, the Central Government hereby notifies the following Subordinate Offices of the Department of Posts where 80 per cent staff has acquired the working knowledge of Hindi:—

Sl. No.	Name of Office (Post offices)	Pin Code
1.	Circle Office Ranchi	834002
2.	Divisional Office Ranchi	834001
3.	Ranchi G.P.O.	834001
4.	Bero	835202
5.	Brambay	835205
6.	Church Road	834001
7.	Chutia	834001
8.	Harmu Housing Colony	834002
9.	Hehal	834005
10.	Hindpiri	834001
11.	Indrapuri Colony	834001
12.	Itaki	835301
13.	Kanke	834006
14.	Kanke Road	834001
15.	Kanta Toli	834001
16.	Kokar	834001
17.	Lalpur	834001
18.	Lower Bazar	834001
19.	Mandar	835214
20.	Mesra	835215
21.	Morabadi	834008
22.	N.C.D.C.	834001
23.	Nevri Vikas Vidyalaya	835217
24.	Ormanjhi	835219
25.	O.C.C.	834002
26.	Piska Nagri	835303
27.	Ranchi Agriculture College	834006
28.	Ranchi Court	834001
29.	Ranchi Medical College	834009

(1)	(2)	(3)	(1)	(2)	(3)
30.	R.M.C.C.	834009	66.	Chainpur	835206
31.	Ranchi University	834009	67.	Gumla Bazar	835207
32.	Ratu	835222	68.	Ghaghra	835208
33.	Doranda HO	834002	69.	Kartic Oraon College	835207
34.	A. G. Bihar	834002	70.	Nawagarh	835232
35.	Ashok Nagar	834002	71.	Nowadih	835230
36.	Bundu	835204	72.	Palkot	835220
37.	Chhotamuri	835101	73.	Sisae	835224
38.	Dhurwa	834004	74.	Toto	835233
39.	Gobindpur	835234	75.	Lohardaga	835302
40.	Hatia	834003	76.	Kuru	835213
41.	HEC Admn Bldg.	834004	77.	Netarhat	835218
42.	HEC APP Hostel	834004	78.	Lohardaga Bazar	835302
43.	H.E.C. Colony	834004	79.	Lohardaga Court	835302
44.	H.E.C. Expert Hostel	834004	80.	Simdega	835223
45.	H.S.L. Colony	834002	81.	Bano	835201
46.	Hinoo	834002	82.	Biru	835228
47.	Jagarnath Nagar Colony	834002	83.	Gotra	835235
48.	Jharkhand Bidhan Sabha	834004	84.	Kolebira	835211
49.	Highcourt S.O.	835209	85.	Kurdeg	835212
50.	Karra	835209	86.	Thethaitangar	835226
51.	Khunti	835210	R.M.S. RN Divn. Ranchi		
52.	Murhu	835216	87.	Divisional Office R.M.S. Ranchi	834001
53.	Namkum	834010	88.	H.R.O.	834001
54.	Railway Colony Hatia	834203	89.	S.R.O.	834001
55.	Ram Krishna Sanatorium	835221	90.	S.R.O. RMS Dn. B. S. City	827001
56.	Ranchi Air Port	834002	91.	S.R.O. RMS Dn. Daltonganj	822101
57.	Satellite Colony	834004	Singhbhum Dn. Jamshedpur		
58.	Silli	835102	92.	Divisional Office Jamshedpur	831001
59.	Tamar	835225	93.	Jamshedpur H.O.	831001
60.	Tatisilway	835103	94.	Adityapur S.O.	831013
61.	Tropa	835227	95.	Adityapur Industrial Area	832110
62.	Gumla H.O.	835207	96.	Agrico S.O.	831009
63.	Bharno	835203	97.	Azad Nagar S.O.	832110
64.	Basia	835229	98.	Bahra Gora S.O.	832101
65.	Bisunpur	835231	99.	Baridih Colony S.O.	831017
			100.	Bistupur Bazar S.O.	831001

(1)	(2)	(3)	(1)	(2)	(3)
101.	Bistupur Gate S.O.	831001	137.	Chaibasa S.O.	833201
102.	Barma Mines S.O.	831007	138.	Amza S.O.	833101
103.	Kable Township	831003	139.	Bari Bazar S.O.	833201
104.	Chakulia	832301	140.	Bara Jamda S.O.	833221
105.	Chandil	832401	141.	Chakradharpur S.O.	833102
106.	Chowka	832404	142.	Chakradharpur Bazar S.O.	833102
107.	Dalbhumgarh	832301	143.	Chakradharpur Colony S.O.	833102
108.	Gamhari.	832108	144.	Chiriyia S.O.	833106
109.	Ghatshila	831003	145.	Dongoaposi S.O.	833212
110.	Golmuri	831003	146.	D.S.E. Chaibasa S.O.	833201
111.	Gobindpur Housing Colony	831008	147.	Soyalkera S.O.	833103
112.	Indra Nagar	831008	148.	Gowa S.O.	833213
113.	Jadugra Mines	832102	149.	Hatgamaria S.O.	833214
114.	Jugsalai	831006	150.	Jaganathpur S.O.	833203
115.	Kadma	831005	151.	Jhinkpani S.O.	833203
116.	Kalmati market	831004	152.	Kharsawangarh S.O.	833216
117.	Kandra S.O.	832402	153.	Kiriuru Base Camp S.O.	833222
118.	Mahulia S.O.	832304	154.	Manoharpur S.O.	833104
119.	Mango S.O.	831012	155.	Nowamundi S.O.	833217
120.	Maubhandar S.O.	832108	156.	Nowamundi Bazaar S.O.	833217
121.	Musabani Mines S.O.	832104	157.	Sarakela S.O.	833219
122.	M. G. M. Medical College S.O.	832104	158.	Sine S.O.	833220
123.	N.M.L. S.O.	831007	159.	Sonuwa S.O.	833105
124.	Patnada S.O.	832105	160.	Tata College Chaibasa S.O.	833201
125.	Plaza Market S.O.	832105	161.	I.P.S.D. Ranchi S.O.	834002
126.	Rahargora S.O.	832105	Supdt. Railway Mail Service D.H. Division Dhanbad		
127.	Rakha Copper Project S.O.	832105	162.	R.M.S. Hazaribagh Road	825320
128.	R.I.T. S.O.	831001	163.	R.M.S. Koderma	825409
129.	Sakchi S.O.	831001	164.	R.M.S. Dhanbad	826001
130.	Sakchi Court S.O.	831001	165.	R.M.S. Jasidih	814142
131.	Sonari S.O.	831011	166.	R.M.S. Sahabganj	816109
132.	Sundar Nagar S.O.	832107	167.	Divisional Office Giridih	815301
133.	Tata Nagar S.O.	831002	168.	Makatpur S.O.	815301
134.	Telco G.M.S. S.O.	831010	169.	Barganda S.O.	815301
135.	Telco Works S.O.	831004	170.	Giridih Bazar S.O.	815301
136.	Tiruldih S.O.	832403	171.	Rajdhanwar S.O.	825414

[No. 11017-1/2009-OL]

MEERA HANDA, Dy. Director General (PO & I/OL)

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2542.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खण्ड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (कों) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम संशोधित भारतीय मानक की संख्या और वर्ष संख्या	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)
1. आई एस 2798 : 1998 प्लास्टिक धारकों के लिए परीक्षण विधियाँ (पहला पुनरीक्षण)	संशोधन संख्या 2, 2009	तत्काल प्रभाव से
2. आई एस 15410 : 2003 पेकेजबंद प्राकृतिक मिनरल जल और पेकेजबंद पेय जल के लिए प्लास्टिक की बोतलें कंटेनर-विशिष्ट	संशोधन संख्या 3, 2009	तत्काल प्रभाव से
3. आई एस 11489 : 1989 हैवी पेट्रोलियम स्टॉक (एच पी एस)-विशिष्ट	संशोधन संख्या 2, 2009	तत्काल प्रभाव से
4. आई एस 15607 : 2005 डीजल ईंधन के लिए बायोडीजल (बी 100) ब्लैंक स्टॉक-विशिष्ट	संशोधन संख्या 1, 2009	तत्काल प्रभाव से

इन संशोधनों की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में विक्री हेतु उपलब्ध हैं।

[संदर्भ : पीसीडी/जी-7]

डा. (श्रीमती) विजय मलिक, निदेशक एवं प्रमुख (पीसीडी)

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

BUREAU OF INDIAN STANDARDS

New Delhi, the 26th August, 2009

S.O. 2542.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :—

SCHEDULE

Sl. No.	No. & years title of the Indian Standards Established	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	Amendment No. 2 to IS 2798 : 1998 Methods of Test for Plastics Containers (first revision)	None	June, 2009

(1)	(2)	(3)	(4)
2.	Amendment No. 3 to IS 15410 : 2003 Containers for Packaging of Natural Mineral Water and Packaged Drinking water specification	None	June, 2009
3.	Amendment No. 2 to IS 11489 : 1985 Specification for Heavy Petroleum Stock (HPS)	None	August, 2009
4.	Amendment No. 1 to IS 15607 : 2005 Bio-Diesel (B 100) Blend Stock for Diesel Fuel Specification	None	July, 2009

Copies of this standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices, New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Tiruvananthapuram.

[Ref: PCD/G-7 Gazette]

Dr. (Smt.) VIJAY MALIK, Director and Head (PCD)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 25 अगस्त, 2009

का.आ. 2543.— भारत सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 444 तारीख 27-2-2008 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा मध्य प्रदेश राज्य में जगोटी से पीथम्पुर तक तरल पेट्रोलियम गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 7-7-2008 तक उपलब्ध करा दी गई थीं;

और पाइपलाइन बिछाने के संबंध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अनुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन भारत सरकार को अपनी रिपोर्ट दे दी है;

और भारत सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह संतुष्ट हो जाने पर कि उक्त भूमि में पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, भारत सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाइन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, भारत सरकार में निहित होने के बजाए, पाइपलाइन बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगनों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
(1)	(2)	(3)	(4)	(5)
इन्दौर	सावेर	पवार्दाजुर्नादा	251/2	0.10
		उगमखेडी	17/1/1	0.09
			17/3	0.02

(1)	(2)	(3)	(4)	(5)
इन्दोर	सावेर	कुडाना	818/1 व 818/2	0.03
			1048/1	0.35
		रावेर	188/430/2	0.06
			393/2/1	0.10
	इन्दोर	बुदानिया	393/2	0.06
		जम्बूडीहवसी	138	0.04
			139	0.03
		कलारिया	115/1	0.19
	देपालपुर	ओसरोद	115/2	0.17
			14/1	0.09
14/2			0.08	
देवास	देवास	बरोठपिल्ल्या	14/3	0.07
			297	0.01
			298	0.01
			333	0.12
उज्जैन	महिदपुर	जगोटी	337	0.04
			1523/1	0.04

[फा. सं. एल-14014/1/08-जी.पी.]

के. के. शर्मा, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 25th August, 2009

S.O. 2543.—Whereas by notification of Government of India in Ministry of Petroleum and Natural Gas number S.O. 444 dated 27th February, 2008 issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), Government of India declared its intention to acquire the Right of User in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of Liquefied Petroleum Gas through Jagoti-Indore pipeline project in the State of Madhya Pradesh by GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on 7-7-2008;

And whereas the objections received from the public to the laying of the said pipeline have been considered and disallowed by the Competent Authority;

And whereas the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to Government of India;

And whereas Government of India after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, Government of India hereby declares that the Right of User in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And, further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, Government of India hereby directs that the Right of User in the land for laying the pipeline shall, instead of vesting in Government of India, vest, on this date of the publication of the declaration, in the GAIL (India) Limited, free from all encumbrances.

SCHEDULE

District	Tehsil	Village	Survey No.	Area to be Acquired for R.O.U. (In Hectare)
Indore	Sanwer	Pawarda Junarda	251/2	0.10
		Ugam Khedi	17/1/1	0.09
			17/3	0.02
		Kudana	818/1 & 818/2	0.03
			1048/1	0.35
		Rawer	188/430/2	0.06
	Indore		393/2/1	0.10
		Budhaniya	393/2	0.06
		Jambudi Havsi	138	0.04
			139	0.03
		Kalariya	115/1	0.19
			115/2	0.17
	Depalpur	Osrod	14/1	0.09
			14/2	0.08
			14/3	0.07
Dewas	Dewas	Barothpipliya	297	0.01
			298	0.01
			333	0.12
			337	0.04
Ujjain	Mahidpur	Jagoti	1523/1	0.04

[F. No. L-14014/1/08-G.P.]

K. K. SHARMA, Under Secy.

नई दिल्ली, 7 सितम्बर, 2009

New Delhi, the 7th September, 2009

का.आ. 2544.—भारत सरकार पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में उक्त अधिनियम के अधीन राजस्थान राज्य में मैसर्स गेल (इण्डिया) लिमिटेड द्वारा पाइपलाइन बिछाने के लिये संलग्न सूची के कालम (1) में उल्लिखित व्यक्ति को कालम (2) में वर्णित क्षेत्र में सक्षम प्राधिकारी के कृत्यों का पालन करने के लिए नियुक्त करती है :—

अनुसूची

व्यक्ति का नाम और पता	अधिकारिता का क्षेत्र
(1)	(2)
श्री श्याम सिंह शेखावत, भूमि अधिग्रहण अधिकारी, मैसर्स गेल (इण्डिया) लिमिटेड में प्रतिनियुक्ति पर गेल (इण्डिया) लिमिटेड, गेल विहार, सेक्टर-6, विद्याधर नगर, जयपुर राजस्थान-302016	सम्पूर्ण राजस्थान राज्य

[फा. सं. : एल-14014/34/09-जी.पी.]

स्नेह प्रभा मदान, अवर सचिव

S.O. 2544.—Whereas in pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby authorizes the person mentioned in column (1) of the Schedule given below to perform the functions of the Competent Authority under the said Act for laying pipelines by the said M/s GAIL (India) Limited in the area mentioned in column (2) of the said Schedule :—

SCHEDULE

Name and Address of the person	Area of Jurisdiction
(1)	(2)
Shri Shyam Singh Shekhawat, Land Acquisition Officer, on deputation basis to M/s. GAIL (India) Limited, GAIL Vihar, Sector-6, Vidhyadhar Nagar, Jaipur, Rajasthan-302016.	Whole State of Rajasthan.

[F. No. L-14014/34/09-G.P.]

SNEH P. MADAN, Under Secy.

नई दिल्ली, 7 सितम्बर, 2009

का.आ. 2545.— यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आंध्र प्रदेश राज्य में आर.ओ.यु. पाइप लाइन "यु.पी.ऐ.ऐ. से जी.एम.ऐ.ऐ. ई.पी.टी." तक पेट्रोलियम के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतद्पाबन्द अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है :

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग राजामन्दि एसट/के. जी. बेसिन, ओ.एन.जी.सी., गोदावरी भवन, राजामन्दि, आंध्र प्रदेश अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की मार्फत।

अनुसूची

आर.ओ.यु. पाइप लाइन : यु.पी.ऐ.ऐ. से जी.एम.ऐ.ऐ. ई.पी.टी.

राज्य :	आंध्र प्रदेश	मंडल :	काद्रेनीकोना			
जिले :	पुर्व गोदावरी	गांव :	उप्पुडी			
आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्ट्स	
1	2	3	4	5	6	
160/2पी	0	05	0	0	12	
160/1ए	0	09	0	0	22	
149/3पी	0	02	5	0	06	
149/2बी	0	02	5	0	06	
149/2ए	0	02	5	0	06	
149/1पी	0	12	0	0	30	
148/पी(जीपी)	0	01	0	0	03	
147/पी	0	04	5	0	11	
145/1पी	0	06	5	0	16	
145/2बी	0	03	0	0	07	
145/2ए	0	04	0	0	10	

1	2	3	4	5	6
143/2पी	0	12	5	0	31
143/1पी	0	06	5	0	16
116/पी(जीपी)	0	01	5	0	04
115/4पी	0	01	0	0	03
105/पी(जीपी)	0	01	0	0	03
106/3सी	0	04	5	0	11
106/2पी	0	02	5	0	06
104/1पी	0	12	0	0	30
103/2बी	0	02	5	0	06
103/2ए	0	04	5	0	11
103/1पी	0	05	5	0	14
102/4पी	0	05	5	0	14
102/1पी	0	05	5	0	14
90/4बी	0	06	5	0	16
90/4ए	0	07	5	0	18
90/1पी	0	08	5	0	21
89/पी (जीपी)	0	01	5	0	04
19/8पी	0	01	0	0	03
19/7पी(जीपी)	0	01	0	0	02
19/6पी	0	06	0	0	15
19/1ए	0	05	5	0	14
19/1बी	0	07	5	0	19
16/पी	0	18	0	0	44
14/1पी	0	11	5	0	29
13/2पी	0	08	0	0	20
13/1पी	0	06	5	0	16
14/1बी	0	11	5	0	29
जोड़	2	19	5	5	42

राज्य	:	आंध्र प्रदेश	मंडल	:	उप्पालागुप्तम
जिले	:	पुर्व गोदावरी	गांव	:	पेदागाडावाल्ली
आर.एस.नं.		हेक्टेएस	एस	सेन्टेएस	एकड़ सेन्ट्स
1		2	3	4	5 6
74/1एपी		0	03	5	0 09

1	2	3	4	5	6
72/2पी	0	03	0	0	08
72/1बीपी	0	03	0	0	08
72/1सीपी	0	03	0	0	08
72/1डीपी	0	03	0	0	08
72/1एपी	0	03	5	0	09
72/1बीपी	0	03	5	0	09
71/2एपी	0	04	0	0	10
71/2बीपी	0	02	5	0	06
71/1पी	0	03	5	0	09
69/2एपी	0	01	5	0	04
69/3पी	0	02	5	0	06
69/2बीपी	0	02	0	0	05
69/4पी	0	02	5	0	06
69/1पी	0	09	5	0	24
67/पी (जी पी)	0	01	0	0	03
66/पी	0	04	0	0	10
65/पी (जी पी)	0	01	5	0	04
55/2पी	0	01	0	0	03
55/1पी	0	01	0	0	02
54/1पी	0	00	5	0	01
54/3ए	0	14	5	0	36
53/3पी	0	03	5	0	09
जोड़	0	79	5	1	97

राज्य : आंध्र प्रदेश		मंडल : उप्पालागुप्तम			
जिले : पुर्व गोदावरी		गांव : मुनीपल्ली			
आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्ट्स
1	2	3	4	5	6
105/पी (जी पी)	0	03	0	0	07
83/2पी	0	01	5	0	04
83/1पी	0	06	0	0	15
84/1पी	0	16	0	0	40
86/पी	0	01	0	0	03

1	2	3	4	5	6
77/3पी	0	09	0	0	22
77/2पी	0	06	0	0	15
77/1पी	0	06	0	0	15
76/पी	0	01	5	0	04
67/11पी	0	02	0	0	05
67/10पी	0	05	5	0	14
68/पी (जी पी)	0	01	0	0	02
70/3पी	0	14	0	0	34
71/2ए	0	05	5	0	13
71/2बी	0	05	5	0	13
जोड़	0	83	5	2	06

राज्य : आंध्र प्रदेश		मंडल : उप्पालागुप्तम			
जिले : पुर्व गोदावरी		गांव : चीनागाडावाल्ली			
आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्ट्स
119/2सी	0	08	0	0	20
118/4सी	0	09	5	0	24
115/1ई	0	15	5	0	38
113/4बी	0	04	5	0	11
110/4पी	0	07	0	0	17
110/5बी 1	0	04	0	0	10
119/3बी	0	03	0	0	07
119/3सी	0	03	0	0	07
119/3ए	0	04	0	0	10
113/2ए	0	01	0	0	03
114/पी (जी पी)	0	01	5	0	04
113/2बी	0	04	0	0	10
113/4सी	0	01	0	0	02
110/5बी2	0	00	5	0	01
113/4ए	0	05	5	0	13
110/5एपी	0	01	0	0	03
110/5सी1	0	01	0	0	03
110/5सी2	0	00	5	0	01
109/पी (जी पी)	0	03	0	0	07
जोड़	0	77	5	1	91

राज्य : आंध्र प्रदेश		मंडल : उप्पालागुप्तम्									
जिले : पुर्व गोदावरी		गांव : उप्पालागुप्तम्									
आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्ट्स	1	2	3	4	5	6
1	2	3	4	5	6						
67/2ए	0	01	0	0	03	266/पी	0	07	5	0	19
67/1पी (जीपी)	0	02	0	0	05	432/1पी	0	05	0	0	12
65/3पी	0	13	0	0	32	432/2बीपी	0	03	0	0	08
64/1एपी	0	05	5	0	14	432/8पी(जीपी)	0	00	5	0	01
64/1बीपी	0	05	5	0	14	431/1पी	0	01	0	0	03
64/2पी	0	05	5	0	14	431/2पी	0	05	0	0	12
62/2पी	0	08	0	0	20	431/3एपी	0	05	0	0	12
62/3पी	0	09	5	0	24	430/1/पी	0	06	5	0	16
62/6पी	0	03	0	0	08	408/5पी	0	00	5	0	01
60/पी (जीपी)	0	01	0	0	02	429/1पी(जीपी)	0	00	5	0	01
59/1पी	0	07	5	0	19	409/पी(जीपी)	0	01	5	0	04
58/1पी	0	06	5	0	16	411/2पी	0	01	0	0	02
57/पी(जीपी)	0	01	0	0	03	411/4पी	0	11	5	0	28
260/पी	0	03	0	0	07	412/1पी	0	09	0	0	23
275/पी (जीपी)	0	01	0	0	03	412/2पी	0	01	5	0	04
274/5पी	0	01	0	0	02	397/पी	0	17	5	0	43
274/6पी	0	03	5	0	09	396/1पी	0	01	0	0	03
274/7पी	0	04	0	0	10	396/2पी	0	08	0	0	20
274/7बी	0	05	5	0	14	396/3पी(ए)	0	02	0	0	05
271/1	0	04	0	0	10	396/3पी(बी)	0	01	0	0	03
271/2	0	09	0	0	22	396/3पी(सी)	0	01	0	0	02
270/1पी	0	04	5	0	11	396/6पी	0	03	5	0	09
270/2पी	0	04	0	0	10	390/4पी	0	13	5	0	33
269/1पी	0	06	5	0	16	389/2पी	0	05	5	0	18
269/2पी	0	04	5	0	11	389/5पी	0	03	5	0	09
268/1पी	0	02	5	0	06	389/4पी	0	05	0	0	12
268/2ए	0	02	5	0	06	388/8पी	0	04	0	0	10
268/2बी	0	02	5	0	06	388/7पी	0	03	0	0	08
268/3पी	0	02	5	0	06	388/4पी	0	03	0	0	08
268/4पी	0	02	5	0	06	388/13पी	0	05	5	0	03
267/1पी	0	02	5	0	06	703/1पी	0	18	0	0	44
267/2पी	0	07	5	0	18	706/2पी	0	08	5	0	21
						707/1बीपी	0	03	5	0	09
						707/2पी	0	04	0	0	10

1	2	3	4	5	6	1	2	3	4	5	6
707/3पी	0	03	5	0	09	213/2पी	0	06	5	0	16
730/पी(जीपी)	0	01	5	0	04	213/1पी	0	13	5	0	33
712/पी(4)	0	01	0	0	02	212/पी(जीपी)	0	01	5	0	04
712/पी(3)	0	05	0	0	12	204/6पी	0	02	5	0	06
712/पी(2)	0	04	5	0	11	204/5पी	0	02	5	0	06
712/पी(1)	0	09	0	0	22	204/1पी	0	00	5	0	01
713/1पी	0	02	0	0	05	204/2पी	0	05	5	0	14
713/2पी	0	04	5	0	11	205/1पी	0	01	0	0	02
713/3पी	0	04	0	0	10	200/1पी	0	12	5	0	31
713/4पी	0	05	0	0	12	201/2पी	0	03	5	0	09
714/3पी	0	06	0	0	15	201/3पी	0	05	0	0	12
715/पी(1)	0	21	5	0	53	201/4एपी	0	05	0	0	12
721/पी(जीपी)	0	02	0	0	05	201/5पी	0	03	5	0	09
881/पी	0	16	0	0	39	201/6पी	0	01	0	0	02
880/2पी	0	09	5	0	22	201/1पी	0	04	5	0	11
879/1पी	0	16	0	0	40	195/पी	0	12	5	0	31
878/पी(जीपी)	0	01	0	0	03	196/2ईपी	0	07	0	0	17
866/1पी	0	17	0	0	42	196/2सीपी	0	02	0	0	05
864/1पी	0	18	0	0	45	196/2बीपी	0	01	5	0	04
864/5पी	0	01	0	0	02	196/2एपी	0	08	0	0	20
859/पी(जीपी)	0	01	5	0	04	197/1पी	0	04	0	0	10
855/3पी	0	10	0	0	25	जोड़	1	33	5	3	30
855/2पी	0	09	5	0	23	राज्य : आंध्र प्रदेश	मंडल : उप्पालागुप्तम				
854/3पी	0	03	5	0	09	जिले : पूर्व गोदावरी	गांव : चल्लापाल्ली				
852/पी(जीपी)	0	04	5	0	11	आर.एस.नं.	हेक्टेर्स	एर्स	सेन्टेर्स	एकड़	सेन्ट्स
914/1पी	0	07	5	0	18	652/पी	0	29	0	0	72
845/5पी	0	09	5	0	24	654/पी	0	07	0	0	17
845/6पी	0	02	5	0	06	654/3पी	0	04	0	0	10
845/7पी	0	11	5	0	28	जोड़	0	40	0	0	99
844/पी	0	01	0	0	03						
843/2पी	0	06	5	0	16						
843/1पी	0	09	5	0	24						
जोड़	5	34	0	13	19						
राज्य : आंध्र प्रदेश	मंडल : उप्पालागुप्तम										
जिले : पूर्व गोदावरी	गांव : कुनावाराम										
आर.एस.नं.	हेक्टेर्स	एर्स	सेन्टेर्स	एकड़	सेन्ट्स						
217/ईपी	0	04	0	0	10						
216/पी(जीपी)	0	04	0	0	10						
225/1पी	0	06	0	0	15						
225/2पी	0	03	0	0	07						
215/2पी	0	13	5	0	33						

[सं. 12016/5/2009/ओ एन जीडी-III]

आर. एस. सिकंदर, अवर सचिव

New Delhi, the 7th September, 2009

S. O. 2545.—Whereas it appears to the Government of India that it is necessary in public interest that for the transportation of petroleum from “UPAA to GMAA EPT” in the state of Andhra Pradesh, a pipeline should be laid by the Oil & Natural Gas Corporation Ltd.

And whereas, it appears to the Government of India that for the purpose of laying the said pipeline, it is necessary to acquire the Right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Government of India hereby declares its intention to acquire the Right of user therein:

Any person interested in the said land may, within twenty one days from the date on which the copies of the notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein for, laying the pipe line under the land to the Competent Authority, Oil & natural Gas Corporation Ltd, Rajahmundry Asset/K.G., Basin, Godavari Bhavan, Base complex, Rajahmundry, Andhra Pradesh.

SCHEDULE

ROU PIPE LINE FROM UPAA TO GMAA EPT

State	Andhra Pradesh	Mandal	Katrenikona		
District	East Godavari	Village	Uppudi		
R. S. No.	Hectares	Ares	Centi Ares	Acres	Cents
1	2	3	4	5	6
160/2p	0	05	0	0	12
160/1A	0	09	0	0	22
149/3p	0	02	5	0	06
149/2B	0	02	5	0	06
149/2A	0	02	5	0	06
149/1p	0	12	0	0	30
148/p(GP)	0	01	0	0	03
147/p	0	04	5	0	11
145/1p	0	06	5	0	16
145/2B	0	03	0	0	07
145/2A	0	04	0	0	10
143/2p	0	12	5	0	31
143/1p	0	06	5	0	16
116/p(GP)	0	01	5	0	04
115/4p	0	01	0	0	03
105/p(GP)	0	01	0	0	03
106/3C	0	04	5	0	11
106/2p	0	02	5	0	06
104/1p	0	12	0	0	30
103/2B	0	02	5	0	06

1	2	3	4	5	6
103/2A	0	04	5	0	11
103/1p	0	05	5	0	14
102/4p	0	05	5	0	14
102/1p	0	05	5	0	14
90/4B	0	06	5	0	16
90/4A	0	07	5	0	18
90/1p	0	08	5	0	21
89/p(GP)	0	01	5	0	04
19/8p	0	01	0	0	03
19/7p(GP)	0	01	0	0	02
19/6p	0	06	0	0	15
19/1A	0	05	5	0	14
19/1B	0	07	5	0	19
16/p	0	18	0	0	44
14/1p	0	11	5	0	29
13/2p	0	08	0	0	20
13/1p	0	06	5	0	16
14/1B	0	11	5	0	29
TOTAL:	2	19	5	5	42

State	Andhra Pradesh	Mandal	Uppalaguptam		
District	East Godavari	Village	Pedagadavalli		
R. S. No.	Hectares	Ares	Centi Ares	Acres	Cents
1	2	3	4	5	6
74/1Ap	0	03	5	0	09
72/2p	0	03	0	0	08
72/1Bp	0	03	0	0	08
72/1Cp	0	03	0	0	08
72/1Dp	0	03	0	0	08
72/1Ap	0	03	5	0	09
72/1Bp	0	03	5	0	09
71/2Ap	0	04	0	0	10
71/2Bp	0	02	5	0	06
71/1p	0	03	5	0	09
69/2Ap	0	01	5	0	04
69/3p	0	02	5	0	06
69/2Bp	0	02	0	0	05

1	2	3	4	5	6
9/4p	0	02	5	0	06
69/1p	0	09	5	0	24
67/p (GP)	0	01	0	0	03
66/p	0	04	0	0	10
65/p (GP)	0	01	5	0	04
55/2p	0	01	0	0	03
55/1p	0	01	0	0	02
54/1p	0	00	5	0	01
54/3A	0	14	5	0	36
53/3p	0	03	5	0	09
TOTAL:	0	79	5	1	97

State	Andhra Pradesh	Mandal	Uppalaguptam
District	East Godavari	Village	Munipalli

R. S. No.	Hectares	Ares	Centi Ares	Acres	Cents
105/p (GP)	0	03	0	0	07
83/2p	0	01	5	0	04
83/1p	0	06	0	0	15
84/1p	0	16	0	0	40
86/p	0	01	0	0	03
77/3p	0	09	0	0	22
77/2p	0	06	0	0	15
77/1p	0	06	0	0	15
76/p	0	01	5	0	04
67/11p	0	02	0	0	05
67/10p	0	05	5	0	14
68/p (GP)	0	01	0	0	02
70/3p	0	14	0	0	34
71/2A	0	05	5	0	13
71/2B	0	05	5	0	13
Total:	0	83	5	2	06

State	Andhra Pradesh	Mandal	Uppalaguptam
District	East Godavari	Village	Chinagadavalli

R. S. No.	Hectares	Ares	Centi Ares	Acres	Cents
119/2C	0	08	0	0	20
118/4C	0	09	5	0	24
115/1E	0	15	5	0	38
113/4B	0	04	5	0	11
110/4P	0	07	0	0	17

1	2	3	4	5	6
110/5B1	0	04	0	0	10
119/3B	0	03	0	0	07
119/3C	0	03	0	0	07
119/3A	0	04	0	0	10
113/2A	0	01	0	0	03
114/p (GP)	0	01	5	0	04
113/2B	0	04	0	0	10
113/4C	0	01	0	0	02
110/5B2	0	00	5	0	01
113/4A	0	05	5	0	13
110/5Ap	0	01	0	0	03
110/5C1	0	01	0	0	03
110/5C2	0	00	5	0	01
109/p (GP)	0	03	0	0	07
Total	0	77	5	1	91

State	Andhra Pradesh	Mandal	Uppalaguptam		
District	East Godavari	Village	Uppalaguptam		
R. S. No.	Hectares	Ares	Centi Ares	Acres	Cents

67/2A	0	01	0	0	03
67/1p (GP)	0	02	0	0	05
65/3p	0	13	0	0	32
64/1Ap	0	05	5	0	14
64/1Bp	0	05	5	0	14
64/2p	0	05	5	0	14
62/2p	0	08	0	0	20
62/3p	0	09	5	0	24
62/6p	0	03	0	0	08
60/p (GP)	0	01	0	0	02
59/1p	0	07	5	0	19
58/1p	0	06	5	0	16
57/p (9P)	0	01	0	0	03
260/p	0	03	0	0	07
275/p (GP)	0	01	0	0	03
274/5p	0	01	0	0	02
274/6p	0	03	5	0	09
274/7p	0	04	0	0	10
274/7B	0	05	5	0	14
271/1	0	04	0	0	10
271/2	0	09	0	0	22
270/1p	0	04	5	0	11
270/2p	0	04	0	0	10

1	2	3	4	5	6	1	2	3	4	5	6
269/1p	0	06	5	0	16	730/p(GP)	0	01	5	0	04
269/2p	0	04	5	0	11	712/p(4)	0	01	0	0	02
268/1p	0	02	5	0	06	712/p(3)	0	05	0	0	12
268/2A	0	02	5	0	06	712/p(2)	0	04	5	0	11
268/2B	0	02	5	0	06	712/p(1)	0	09	0	0	22
268/3p	0	02	5	0	06	713/1p	0	02	0	0	05
268/4p	0	02	5	0	06	713/2p	0	04	5	0	11
267/1p	0	02	5	0	06	713/3p	0	04	0	0	10
267/2p	0	07	5	0	18	713/4p	0	05	0	0	12
266/p	0	07	5	0	19	714/3p	0	06	0	0	15
432/1p	0	05	0	0	12	715/p(1)	0	21	5	0	53
432/2Bp	0	03	0	0	08	721/p(GP)	0	02	0	0	05
432/8p(GP)	0	00	5	0	01	881/p	0	16	0	0	39
431/1p	0	01	0	0	03	880/2p	0	09	5	0	22
431/2p	0	05	0	0	12	879/1p	0	16	0	0	40
431/3Ap	0	05	0	0	12	878/p(GP)	0	01	0	0	03
430/1/p	0	06	5	0	16	866/1p	0	17	0	0	42
408/5p	0	00	5	0	01	864/1p	0	18	0	0	45
429/1p(GP)	0	00	5	0	01	864/5p	0	01	0	0	02
409/p(GP)	0	01	5	0	04	859/p(GP)	0	01	5	0	04
411/2p	0	01	0	0	02	855/3p	0	10	0	0	25
411/4p	0	11	5	0	28	855/2p	0	09	5	0	23
412/1p	0	09	0	0	23	854/3p	0	03	5	0	09
412/2p	0	01	5	0	04	852/2(GP)	0	04	5	0	11
397/p	0	17	5	0	43	914/1p	0	07	5	0	18
396/1p	0	01	0	0	03	845/5p	0	09	5	0	24
396/2p	0	08	0	0	20	845/6p	0	02	5	0	06
396/3p(a)	0	02	0	0	05	845/7p	0	11	5	0	28
396/3p(b)	0	01	0	0	03	844/p	0	01	0	0	03
396/3p(c)	0	01	0	0	02	843/2p	0	06	5	0	16
396/6p	0	03	5	0	09	843/1p	0	09	5	0	24
390/4p	0	13	5	0	33	TOTAL :					19
389/2p	0	05	5	0	13	5	34	0	13		
389/5p	0	03	5	0	09						
389/4p	0	05	0	0	12	State	Andhra Pradesh	Mandal	Uppalaguptam		
388/8p	0	04	0	0	10	District	East Godavari	Village	Kunavaram		
388/7p	0	03	0	0	08	R. S. No.	Hectares	Ares	Centi Ares	Acres	Cents
388/4p	0	03	0	0	08	217/Ep	0	04	0	0	10
388/13p	0	05	5	0	03	216/p(GP)	0	04	0	0	10
703/1p	0	18	0	0	44	225/1p	0	06	0	0	15
706/2p	0	08	5	0	21	225/2p	0	03	0	0	07
707/1Bp	0	03	5	0	09	215/2p	0	13	5	0	33
707/2p	0	04	0	0	10	213/2p	0	06	5	0	16
707/3p	0	03	5	0	09						

1	2	3	4	5	6
213/1p(GP)	0	13	5	0	33
212/p(GP)	0	01	5	0	04
204/6p	0	02	5	0	06
204/5p	0	02	5	0	06
204/1p	0	00	5	0	01
204/2p	0	05	5	0	14
205/1p	0	01	0	0	02
200/1p	0	12	5	0	31
201/2p	0	03	5	0	09
201/3p	0	05	0	0	12
201/4Ap	0	05	0	0	12
201/5p	0	03	5	0	09
201/6p	0	01	0	0	02
201/1p	0	04	5	0	11
195/p	0	12	5	0	31
196/2Ep	0	07	0	0	17
196/2Cp	0	02	0	0	05
196/2Bp	0	01	5	0	04
196/2Ap	0	08	0	0	20
197/1p	0	04	0	0	10
TOTAL	1	33	5	3	30

State	Andhra Pradesh		Mandal	Uppalaguptam	
District	East Godavari		Village	Challapalli	
R. S. No.	Hectares	Ares	Centi Ares	Acres	Cents
652/p	0	29	0	0	72
654/p	0	07	0	0	17
654/3p	0	04	0	0	10
TOTAL	0	40	0	0	99

[No. 12016/5/2009/ONGD-III]

R. S. SIKDAR, Under Secy.

नई दिल्ली, 7 सितम्बर, 2009

का.आ. 2546.— यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि आंध्र प्रदेश राज्य में आर.ओ. यू. पाइप लाइन “जी. एम. ऐ. ऐ. से यस. यानाम” तक पेट्रोलियम के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों के बिछाने के प्रयोजन के लिये एतद्पाबन्द अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है :

बशर्त कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग राजामुन्द्रि एसट/के.

जी. बेसिन, ओ.एन.जी.सी., गोदावरी भवन, राजामुन्द्रि, आंध्र प्रदेश अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति : यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से या किसी विधि व्यवसायी की मार्फत।

अनुसूची

आर.ओ.यू. पाइप लाइन : “जी.एम.ऐ.ऐ. से यस. यानाम”

राज्य : आंध्र प्रदेश मंडल : उप्पालागुप्तम

जिले : पुर्व गोदावरी गांव : यस. यानाम

आर.एस.नं.	हेक्टेएस	एस	सेन्टेएस	एकड़	सेन्टस
158/2पी	0	07	5	0	19
158/1बी	0	03	0	0	08
164/2पी	0	05	0	0	12
164/1पी	0	05	0	0	12
165/2बी	0	04	0	0	10
165/2ए	0	02	0	0	05
165/1पी	0	01	0	0	03
119/पी (जीपी)	0	01	5	0	04
120/3पी	0	03	0	0	08
120/2पी	0	03	0	0	08
121/पी (जीपी)	0	02	5	0	06
124/3पी,4पी	0	01	0	0	03
123/19बीपी	0	02	5	0	06
123/19एपी	0	01	0	0	02
17पी	0	02	0	0	05
14पी	0	01	0	0	03
123/11पी	0	01	5	0	04
123/ 10बीपी	0	01	5	0	04
123/10एपी	0	03	0	0	08
9पी	0	03	5	0	09
123/1पी	0	01	0	0	03
109/3बीपी	0	04	0	0	10
109/3एपी	0	05	0	0	12
112/2पी	0	03	0	0	08
112/1पी	0	03	0	0	07
111/6पी	0	04	5	0	11
111/2सी	0	01	0	0	03
2ए	0	01	5	0	04
111/2बी	0	02	0	0	05
103/9बी2	0	02	0	0	05
103/9बी1	0	02	0	0	05
103/8सीपी	0	01	0	0	02
103/1बीपी(जीपी)	0	01	5	0	04
103/6एपी	0	00	5	0	01
103/5ए2	0	01	5	0	04
103/5ए1	0	01	5	0	04
103/4पी	0	01	0	0	02
3पी	0	02	5	0	06
104/1पी	0	07	5	0	18

1	2	3	4	5	6	1	2	3	4	5	6
99/4पी	0	01	0	0	03	164/2p	0	05	0	0	12
99/3पी	0	07	0	0	17	164/1p	0	05	0	0	12
98/1पी	0	06	5	0	16	165/2B	0	04	0	0	10
96/7पी	0	14	0	0	34	165/2A	0	02	0	0	05
96/6पी	0	01	5	0	04	165/1p	0	01	0	0	03
87/2पी	0	03	0	0	08	119/p (GP)	0	01	5	0	04
87/4पी	0	03	0	0	08	120/3p	0	03	0	0	08
87/2पी	0	08	0	0	08	120/2p	0	03	0	0	08
87/1पी	0	09	0	0	22	121/p (GP)	0	02	5	0	06
86/2पी	0	07	5	0	18	124/3p,4p	0	01	0	0	03
1पी	0	07	5	0	18	123/19Bp	0	02	5	0	06
28/3पी	0	04	0	0	10	123/19AP	0	01	0	0	02
2पी	0	05	5	0	13	17p	0	02	0	0	05
85/2पी	0	00	5	0	01	14p	0	01	0	0	03
85/1एपी	0	07	0	0	17	123/11p	0	01	5	0	04
85/1सीपी	0	05	5	0	13	123/10BP	0	01	5	0	04
85/1बीपी	0	05	5	0	14	123/10AP	0	03	0	0	08
जोड़	1	93	0	4	77	9P	0	03	5	0	09
[सं. 12016/5/2009/ओ एन जीडी-III]						123/1P	0	01	0	0	03
आर. एस. सिकंदर, अवर सचिव						109/3Bp	0	04	0	0	10
New Delhi, the 7th September, 2009						109/3Ap	0	05	0	0	12
S. O. 2546—Whereas it appears to the Central						112/2P	0	03	0	0	08
Government that it is necessary in the public interest that						112/1P	0	03	0	0	07
for the transport of petroleum from "GMAA to S.						111/6p	0	04	5	0	11
YANAM" in the state of Andhra Pradesh, a pipeline						111/2c	0	01	0	0	03
should be laid by the Oil & Natural Gas Corporation Ltd.						2A	0	01	5	0	04
And whereas it appears that for the purpose of						111/2B	0	02	0	0	05
laying such pipeline, it is necessary to acquire the Right						103/9B2	0	02	0	0	05
of user in the land described in the schedule annexed here						103/9B1	0	02	0	0	05
to :—						103/8cp	0	01	0	0	02
Now, Therefore, in exercise of the powers conferred						103/1Bp(GP)	0	01	5	0	04
by sub-section (1) of Section 3 of the Petroleum and						103/6AP	0	00	5	0	01
Minerals Pipelines (Acquisition of Right of User in the						103/5A2	0	01	5	0	04
land) Act, 1962 (50 of 1962), the Central Government hereby						103/5A1	0	01	5	0	04
declares its intention to acquire the Right of user therein:						103/4P	0	01	0	0	02
Any person interested in the said land may, object						3p	0	02	5	0	06
within twenty one days from the date of this notification						104/1p	0	07	5	0	18
to laying the pipe line under the land to the Competent						99/4p	0	01	0	0	03
Authority, Oil & Natural Gas Corporation Ltd, Rajahmundry						99/3p	0	07	0	0	17
Asset/K.G., Basin, Godavari Bhavan, Base Complex,						98/1p	0	06	5	0	16
Rajahmundry, Andhra Pradesh.						96/7p	0	14	0	0	34
SCHEDULE						96/6p	0	01	5	0	04
ROU PIPE LINE FROM GMAA TO S. YANAM						87/2p	0	03	0	0	08
State	Andhra Pradesh	Mandal	Uppalaguptam			87/4p	0	03	0	0	08
District	East Godavari	Village	S. Yanam			87/2p	0	08	0	0	08
R. S. No.	Hectares	Ares	Centi Ares	Acres	Cents	87/1p	0	09	0	0	22
158/2p	0	07	5	0	19	86/2p	0	07	5	0	18
158/1b	0	03	0	0	08	1p	0	07	5	0	18
						28/3p	0	04	0	0	10
						2p	0	05	5	0	13
						85/2p	0	00	5	0	01
						85/1ap	0	07	0	0	17
						85/1cp	0	05	5	0	13
						85/1Bp	0	05	5	0	14
						TOTAL:	1	93	0	4	77

[No. 12016/5/2009/ONGD-III]

R. S. SIKDAR, Under Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 14 सितम्बर, 2009

का. आ. 2547.— केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि पंजाब राज्य में रमन मंडी से हरियाणा राज्य में बहादुरगढ़ तक, पेट्रोलियम तेल के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा 'जी जी एस आर उत्पाद निष्क्रमण परियोजना' के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री प्रहलाद सिंह, (हरियाणा), हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड, गुरु गोविन्द सिंह रिफाइनरी उत्पाद निष्क्रमण परियोजना, एस सी एफ नं. - 29, सेक्टर - 6, बहादुरगढ़ - 124507, हरियाणा को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : रोहतक		जिला : रोहतक		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/ किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. जिन्दरान	87	39	14	00	02	27
			15	00	12	14
2. ब्राह्मणवास	80	80	11/1	00	00	75
			11/2/1	00	00	75
			11/2/2	00	02	02
			12/1/2	00	00	75
3. बसन्तपुर	63	44	3/2	00	00	25
		33	24/1	00	00	25
			24/3	00	11	89

(1)	(2)	(3)	(4)	(5)	(6)	(7)
4. मकरोली कलां	64	41	21	00	10	62
		42	2	00	11	63
			8/1	00	00	25
			8/2	00	11	38
			9	00	05	31
			13	00	04	55
			14	00	11	89
			16	00	11	63
			17	00	04	55
			25	00	04	55
		69	1	00	05	31
			2	00	11	89
			8	00	11	63
			9	00	05	06
			13	00	04	80
			14	00	11	63
			16	00	11	63
			17	00	05	06
			25/1	00	04	55
		70	21/1	00	04	55
			21/2	00	06	32
		74	18	00	02	02
			19	00	11	89
			20	00	12	65
			22	00	01	51
			23	00	12	39
			24	00	11	13
			25	00	00	25
		75	1	00	04	55
			2	00	12	14
			8	00	13	15
			9	00	03	54
			13	00	03	54
			14	00	12	65
			16	00	12	65
			17	00	03	79
			210	00	02	27
			239	00	00	50
5. KILOI KHAS	60	144	20	00	07	84
			21	00	05	81
			22	00	11	89
			23/1	00	00	25

[फा. सं. आर-31015/9/2009-ओ.आर. II]

ए. गोस्वामी, अवर सचिव

Ministry of Petroleum & Natural Gas

New Delhi, the 14th September, 2009

S. O. 2547.— Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana for implementation of "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh", should be laid by the Hindustan Petroleum Corporation Limited;

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the Right of User therein or laying of the pipeline under the land, to shri Prahlad Singh, Competent Authority (Haryana), Hindustan Petroleum Corporation Limited, Guru Gobind Singh Refinery Product Evacuation Project , SCF No. – 29, Sector – 6 Market, Bahadurgarh – 124507, Haryana.

SCHEDULE

Tehsil : ROHTAK		District : ROHTAK		State : HARYANA		
Name of Village	Hadbast No.	Mustatli No.	Khasra / Killa No.	Area		
				Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. JINDRAN	87	39	14	00	02	27
			15	00	12	14
2. BRAHMANWAS	80	80	11/1	00	00	75
			11/2/1	00	00	75
			11/2/2	00	02	02
			12/1/2	00	00	75
3. BASANTPUR	63	44	3/2	00	00	25
		33	24/1	00	00	25
			24/3	00	11	89
4. MAKRAULI KALAN	64	41	21	00	10	62
		42	2	00	11	63
			8/1	00	00	25
			8/2	00	11	38
			9	00	05	31
			13	00	04	55
			14	00	11	89
			16	00	11	63
			17	00	04	55
			25	00	04	55
		69	1	00	05	31
			2	00	11	89
			8	00	11	63
			9	00	05	06
			13	00	04	80
			14	00	11	63
			16	00	11	63
			17	00	05	06
			25/1	00	04	55
		70	21/1	00	04	55
			21/2	00	06	32
		74	18	00	02	02
			19	00	11	89

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		74	20	00	12	65
			22	00	01	51
			23	00	12	39
			24	00	11	13
			25	00	00	25
		75	1	00	04	55
			2	00	12	14
			8	00	13	15
			9	00	03	54
			13	00	03	54
			14	00	12	65
			16	00	12	65
			17	00	03	79
			210	00	02	27
			239	00	00	50
5. किलौई खास	60	144	20	00	07	84
			21	00	05	81
			22	00	11	89
			23/1	00	00	25

[F. No. R-31015/9/2009-O.R.-II]

A. GOSWAMI, Under Secy

नई दिल्ली, 14 सितम्बर, 2009

का. आ. 2548.— केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ. 1233 दिनांक 08.05.09, द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् उक्त अधिनियम कहा जायेगा) की धारा 3(1) के अधीन अधिसूचना प्रकाशित कर, रमन मंडी (पंजाब राज्य में) से बहादुरगढ़ (हरियाणा राज्य में) तक, पेट्रोलियम उत्पाद के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा "जी जी एस आर उत्पाद निष्क्रमण परियोजना रमन मंडी से बहादुरगढ़ पेट्रोलियम पाइपलाइन" के सम्बन्ध में उक्त अधिसूचना से संलग्न अनुसूची में निर्दिष्ट तहसील रोहतक जिला रोहतक राज्य हरियाणा की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी,

और, उक्त अधिसूचना की प्रतियां जनता को दिनांक 13.07.2009 को उपलब्ध करा दी गई थी,

और, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : रोहतक		जिला : रोहतक		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/ किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. घडौठी	92	135	21	00	00	25
		155	21	00	04	80
		156	11	00	11	63
			12	00	02	78
			17	00	02	02
			18	00	13	15
			19	00	09	10
			20	00	00	25
			24	00	08	60
			25/1	00	06	57
			25/2	00	06	57
		157	1	00	08	34
			2	00	12	90
			3	00	03	54
			6	00	03	28
			7	00	13	66
			8	00	09	86
			9	00	00	25
			14	00	00	25
			15	00	09	86
		162	1	00	07	33
			2	00	13	66
			3	00	05	31
			6	00	05	31
			7/1	00	04	55
			7/2	00	08	85
			8	00	08	60
			15	00	08	34

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		163	11	00	13	66
			12	00	04	30
			17	00	03	03
			18/1	00	03	54
			18/2	00	03	79
			19	00	08	60
			20	00	00	25
			24	00	10	62
			25	00	13	15
		164	21	00	02	02
		175	11	00	06	07
			18/1	00	02	78
			18/2/1	00	03	79
			18/2/2	00	00	25
			19	00	13	66
			20/1	00	04	30
			22/2	00	00	25
			23/1	00	05	81
			24/1	00	03	28
			24/2/1	00	00	25
			24/2/2	00	08	34
			25/1	00	03	28
			25/2	00	00	25
		176	1	00	11	38
			2	00	12	90
			3	00	01	26
			6	00	00	25
			7	00	11	63
			8	00	12	14
			9	00	00	75
			14	00	02	02
			15	00	13	40
		177	5	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		187	4/2	00	00	25
			5	00	10	12
		188	1	00	12	39
			2	00	01	01
			7	00	00	25
			8	00	09	61
			9	00	12	90
			10	00	01	26
			13	00	04	04
			14	00	13	91
			15	00	06	83
			16	00	07	08
		189	19	00	03	79
			20	00	13	15
			21/2	00	00	25
			22/1	00	10	12
			23/1	00	11	38
			23/2	00	01	01
			24/1	00	00	25
			24/2	00	00	50
		192	9	00	02	27
			10	00	15	18
			12/1	00	00	25
			12/2	00	08	34
			13	00	13	15
			14	00	01	77
			17	00	03	79
			18	00	00	50
		193	3	00	01	51
			4	00	12	90
			5	00	08	85
			6	00	05	31
			409	00	04	30
			409/1	00	01	26

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			419	00	03	03
				00	01	51
			437	00	01	26
			483	00	00	50
			486	00	01	51
			498	00	00	75
			504	00	01	26
			505	00	00	50
			1014	00	01	51
			1026	00	02	02
			1034	00	01	01
2. घुसकानी	86	38	16	00	10	12
			17	00	08	34
			25	00	03	28
		39	20	00	00	25
			21	00	13	91
			22	00	07	84
		49	21	00	06	57
		50	10	00	02	78
			11/1	00	10	37
			11/2	00	00	50
			12	00	12	65
			13	00	00	75
			16	00	00	25
			17	00	09	86
			18	00	12	90
			19	00	01	01
			24	00	03	54
			25	00	13	91
		51	2	00	06	07
			3	00	13	40
			4	00	02	78
			6	00	13	40
			7	00	08	85
			15/1	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		55	1	00	07	08
			2	00	13	91
			3	00	03	28
			7/1	00	00	25
			7/2	00	03	28
			7/3	00	03	28
			8/1	00	07	59
			8/2	00	03	03
			8/3	00	00	25
			9/1	00	00	25
			69	00	01	77
3. टिठौली	88	6	11	00	09	86
			12	00	00	25
			18	00	07	84
			19	00	13	66
			20	00	03	28
			23	00	06	32
			24/1	00	09	86
			24/2	00	04	30
			25	00	05	81
		7	6	00	00	25
			7	00	02	78
			14	00	02	78
			15	00	13	40
		23	5	00	08	34
		24	1	00	13	66
			2	00	03	28
			7	00	02	78
			8	00	13	40
			9	00	10	12
			10	00	00	25
			13	00	00	50
			14	00	10	12
			15	00	10	62

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		25	11	00	10	62
			12	00	00	75
			18	00	08	85
			19	00	12	14
			20/1	00	02	02
			195/1/2	00	01	01
			197	00	01	77
			217	00	01	01
4. जिन्दरान	87	35	21	00	00	50
		36	17/1	00	00	50
			17/2	00	03	28
			18/2	00	01	01
			18/3	00	03	79
			24	00	12	14
			25	00	11	63
		38	5	00	02	02
		39	1	00	13	40
			2	00	09	61
			3	00	00	25
			6	00	00	25
			7	00	11	38
			8	00	13	15
			9	00	03	79
		40	11	00	11	38
			12	00	00	50
			17	00	00	75
			18	00	11	63
			19	00	12	65
			20/1	00	01	77
			23	00	01	26
			24	00	12	65
			25	00	11	89

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		41	21	00	01	01
		46	21	00	07	08
			22	00	02	27
			23	00	01	01
			24	00	00	25
		47	11	00	12	65
			12	00	02	53
			17/2	00	03	28
			18	00	13	15
			19	00	11	38
			20	00	00	50
			23/2	00	00	25
			24	00	11	13
		48	1	00	12	39
			2	00	12	65
			3	00	01	26
			6/2/2	00	02	02
			7/2	00	11	89
			8/1	00	00	50
			8/2	00	11	89
			9	00	01	01
			14	00	00	75
			15/1	00	10	87
			15/2	00	01	01
		49	5	00	01	26
		53	5	00	00	25
		54	1/1	00	01	77
			1/2	00	06	32
			2/1	00	04	80
			2/2	00	05	31
			3	00	11	89
			4	00	14	92

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			60/1	00	01	01
			65	00	00	50
			70	00	09	86
5. खिडवाली	85	201	21/2	00	01	01
			21/3	00	03	28
			22/2	00	04	55
			23	00	00	25
		202	21	00	02	27
			22	00	02	27
			23/2	00	02	78
			24/1	00	03	03
			24/2	00	00	25
			25/2	00	04	04
		203	21	00	01	01
			22	00	01	01
			23/2	00	01	01
			24/1	00	01	01
			24/2	00	00	75
			25/1	00	02	02
			25/2	00	00	25
		204	21/2	00	00	25
			22	00	00	25
			23/2	00	00	25
			24/2	00	00	25
			25	00	00	50
		206	21	00	00	25
		207	25	00	00	25
		208	5	00	09	10
		209	1/1	00	12	39
			2/1	00	12	39
			3	00	12	39

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			4	00	12	39
			5/1	00	05	81
			5/2	00	05	06
		210	1	00	12	39
			2/1	00	03	03
			2/2	00	09	36
			3	00	12	39
			4	00	12	39
			5/1	00	02	53
			5/2	00	09	86
		211	1	00	12	39
			2	00	12	39
			3	00	12	39
			4	00	12	39
			5/1	00	11	89
		212	1/2	00	10	87
			2/1/1	00	10	87
			3/1	00	10	87
			4/1/1	00	05	56
			4/2	00	05	06
			5	00	10	12
		213	1	00	10	12
			2	00	10	12
			3	00	09	61
			4/1	00	08	60
			4/2	00	00	50
			5	00	08	34
		214	1	00	07	84
			2/1	00	06	32
			2/2	00	02	27
			3/1	00	04	04
			3/2	00	02	78
			6	00	00	25
			7	00	11	63

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			8	00	03	79
			14	00	04	30
			15	00	13	40
			16/1	00	00	75
		215	11	00	00	75
			19	00	02	53
			20	00	14	16
			21	00	00	25
			22	00	13	15
			23/1	00	00	75
			23/2	00	03	79
		218	3/1	00	00	25
			3/2	0	10	62
			4	00	07	08
			7	00	04	80
			440	00	07	08
			455	00	01	01
			456	00	01	51
			471	00	00	50
6. ब्राह्मणवास	80	54	10	00	00	25
			11	00	13	40
			12	00	05	31
			17	00	00	25
			19	00	08	09
			23	00	03	28
			18/1	00	00	25
			18/2	00	09	86
			24/1	00	05	56
			24/2	00	08	60
			25/2	00	03	28
			26	00	01	26
		55	6	00	11	63
			7	00	03	03
			15	00	00	75

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		58	5	00	10	12
			4	00	00	25
		59	1	00	09	36
			8	00	01	01
			9	00	13	40
			10/1	00	03	54
			10/2	00	02	02
			12/1	00	01	26
			13	00	14	67
			14	00	05	81
			16	00	10	87
			17	00	09	10
			25	00	04	04
			26	00	00	25
		60	21	00	13	91
			22/1	00	02	02
		68	11	00	00	75
			19/2	00	04	04
			20	00	14	67
			21	00	00	25
			22/1	00	06	07
			22/2	00	05	06
			23/1	00	00	50
			23/2	00	08	09
		69	1	00	00	25
			2	00	10	87
			3	00	05	31
			7	00	10	12
			8	00	09	86
			14	00	05	06
			15	00	13	15
			16	00	01	01
		79	3/2	00	07	08
			4	00	11	63

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		79	5	00	00	25
			6	00	14	16
			7	00	03	79
			15	00	00	25
		80	6	00	07	84
			7	00	00	50
			10	00	03	54
			11/1	00	07	08
			11/2/1	00	00	13
			11/2/2	00	00	12
			12/1/1	00	00	75
			12/1/2	00	11	63
			13/2	00	12	39
			14	00	11	63
			15	00	05	06
		81	3	00	00	25
			4/1	00	01	51
			4/2	00	04	55
			5/1	00	00	50
			5/2	00	11	13
			7/1	00	06	07
			8	00	12	14
			9	00	12	65
			10	00	12	65
			11	00	00	25
		82	1	00	01	51
			106	00	00	50
			107	00	00	50
			108	00	01	51
			114	00	02	78
			115	00	00	50
			117	00	02	78
			311	00	00	50
			322	00	00	75
			327	00	00	50

(1)	(2)	(3)	(4)	(5)	(6)	(7)
7. बसन्तपुर	63	33	22/3	00	00	25
			23/1/2	00	02	53
			23/1/3	00	04	80
			25	00	12	65
		34	21	00	12	90
			22	00	02	78
		42	11/1	00	01	77
			19	00	04	04
			20	00	14	16
			21	00	00	25
			22	00	10	62
			23	00	00	50
		43	2	00	05	06
			3/1	00	10	62
			3/2	00	01	26
			4/2	00	00	25
			6	00	00	75
			7	00	13	66
			8	00	03	54
			14	00	01	26
			15	00	13	15
			16	00	00	25
		44	1	00	11	38
			2	00	11	89
			3/1	00	02	53
			54	00	04	55
			69	00	03	28
			73	00	03	03
8. मकरौली कलां	64	6	22	00	02	02
			23	00	07	08

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		13	10/2	00	01	77
			11	00	13	40
			12	00	05	81
			18	00	09	86
			19/1	00	07	08
			19/2	00	02	53
			23	00	03	79
			24	00	13	91
			25/1	00	01	01
		14	3	00	07	84
			4	00	11	63
			5	00	00	25
			6	00	14	67
			7	00	03	03
			15/1	00	00	25
		33	4	00	04	30
			5	00	08	60
		35	1	00	04	80
			9	00	09	36
			10	00	10	37
			12/1	00	00	25
			12/2	00	05	06
			12/3	00	00	50
			13/1	00	03	54
			13/2/1	00	05	06
			13/2/2	00	02	02
			13/2/3	00	04	04
			14/1/1	00	00	50
			14/1/2	00	00	25
			16/1	00	00	25
			16/2	00	04	30
			17	00	13	91
			18	00	00	75
			25	00	09	36
		36	21	00	09	36

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		42	1/1	00	00	25
			1/2	00	05	81
			201	00	01	77
			228	00	01	51
			229	00	00	50
			241	00	00	25
9. लापत	65	1	24	00	01	26
			25	00	07	84
		9	1	00	08	09
			9	00	07	84
			10	00	07	84
			12/1	00	00	50
			12/2	00	08	09
			13	00	07	33
			17	00	07	84
			18	00	09	10
			24	00	09	36
			25	00	07	84
		10	5	00	08	85
		13	5	00	09	36
		14	1	00	07	33
			9	00	07	59
			10	00	09	10
			12/1	00	01	51
			12/2	00	07	33
			13	00	07	33
			17/2	00	06	57
			18/1	00	07	59
			18/2	00	01	77
			24	00	10	87
			25	00	05	56

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		22	1	00	03	54
			9	00	04	04
			10	00	11	63
			12	00	12	90
			13/1	00	03	28
			17	00	01	51
			18/1	00	06	32
			18/2	00	07	08
			19	00	00	25
			23	00	00	25
			24	00	13	91
			25	00	02	02
		23	5/1	00	02	53
			5/2	00	08	09
		33	4	00	00	25
			5	00	14	92
			6	00	00	75
		34	1/2	00	01	01
			9/2	00	00	50
			10	00	14	42
			11	00	01	51
			12	00	13	91
			13	00	00	25
			18	00	13	15
			19	00	02	53
			23	00	04	30
			24	00	10	62
		38	1/2	00	00	25
			10	00	06	83
			11	00	10	87
			12/1	00	02	53
			12/2	00	02	53
			18	00	02	27
			19	00	12	14
			22	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		38	23	00	14	67
			24	00	00	50
		39	4/1	00	02	53
			4/2	00	04	04
			5/1/2	00	07	59
			5/2/2	00	01	01
			6/1	00	06	32
			6/2	00	00	25
			15	00	00	50
		56	3	00	01	01
			4	00	04	80
			103	00	03	03
			113	00	01	77
			119	00	00	50
			126	00	00	75
			127	00	00	50
			135	00	00	75
10. किसी खास	60	60	4	00	03	79
			5/2	00	12	39
		91	1/1/1	00	06	34
			1/1/2	00	03	28
			1/2	00	00	75
			2	00	03	28
			3	00	05	31
			4/2	00	11	13
			5/2/2	00	02	02
			6/1	00	01	01
			6/2	00	10	67
			7/1	00	00	75
			7/2	00	00	25
		92	10	00	04	80
			11/1	00	10	62
			12	00	06	34

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		92	18	00	11	38
			19/1	00	00	50
			19/2	00	06	57
			23	00	04	80
			24	00	14	42
			25	00	01	01
		116	21	00	01	77
		117	1/2	00	03	79
			9/1	00	00	50
			9/2	00	08	32
			10	00	11	38
			12/1	00	00	25
			12/2	00	08	09
			13	00	10	12
			16	00	00	25
			17	00	13	15
			18	00	03	54
			24	00	02	02
			25	00	14	67
		118	4/2	00	00	75
			5	00	13	91
		125	5	00	00	50
		126	1	00	13	40
			2	00	04	04
			8	00	07	84
			9	00	10	87
			12/2/1	00	00	50
			12/2/2	00	02	53
			13/1	00	00	25
			13/2	00	03	79
			14	00	09	61
			16	00	11	89
			17/1	00	05	81
			25	00	03	54

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		127	20	00	00	25
			21	00	14	16
			22	00	00	25
		145	1	00	01	51
			2	00	14	67
			3	00	01	51
			7	00	04	04
			8	00	13	66
			9	00	00	50
			14	00	11	38
			15	00	06	83
			16	00	08	60
		158	2	00	02	02
			3	00	13	66
			4	00	00	25
			6	00	01	51
			7/1	00	12	65
			7/2	00	01	77
			8	00	02	02
			14	00	00	75
			15	00	14	42
			16	00	00	25
		159	11	00	02	53
			19	00	04	04
			20	00	13	40
			22	00	12	14
			23	00	06	07
		170	11/2	00	10	37
			19	00	11	38
			20	00	05	56
			22	00	04	80
			23	00	11	89
		171	3/1	00	00	50
			3/2	00	09	36

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		171	4/2	00	07	08
			6	00	08	60
			7	00	08	85
			15	00	07	33
		185	3	00	04	30
			4	00	05	81
			223	00	05	06
			224	00	05	31
			225	00	06	07
			231	00	01	26
			244	00	00	50
			249	00	00	75
			252	00	01	77
11. भालोठ	59	9	19	00	00	25
			20	00	09	61
			21	00	04	04
			22	00	13	66
			23	00	07	33
		10	9	00	10	87
			10/1	00	03	03
			10/2	00	06	57
			12	00	01	26
			13	00	09	36
			14	00	10	62
			15	00	00	25
			16/1	00	01	51
			16/2	00	11	38
			17	00	02	53
		11	6	00	12	39
			7	00	09	10
		26	3	00	06	83
			4	00	12	39
			5/1	00	00	25
			6	00	14	16

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		26	7	00	02	78
			15	00	01	51
		27	10	00	00	25
			11	00	13	91
			12	00	02	27
			18/1/3	00	00	50
			18/2	00	02	27
			19/1	00	00	50
			19/2	00	14	67
			रास्ता	00	01	26
			20/1	00	00	25
			23/2/1	00	00	75
			23/2/2	00	00	50
			23/2/3	00	08	85
			24/2	00	07	33
			24/4	00	02	78
		34	11	00	11	13
			18	00	00	25
			19	00	13	66
			20/2	00	03	54
			22	00	02	02
			23	00	14	16
			24	00	01	01
		35	4/1	00	00	25
			4/2/4	00	05	56
			6/1/2	00	08	09
			6/2/2	00	00	10
			6/2/3	00	00	15
			6/2/4	00	00	25
			7/1/1	00	04	55
			7/1/2	00	02	78
			7/1/3	00	01	51
			7/1/4	00	00	25
			15	00	06	83

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		61	3/1	00	00	25
			3/2	00	00	25
			4	00	14	67
			5	00	03	54
			6	00	12	14
			7	00	00	25
		62	10	00	05	81
			11	00	09	61
			12	00	08	34
			18	00	11	38
			19	00	07	08
			23	00	03	79
			24	00	13	66
			25	00	00	50
		68	21/2	00	00	25
		69	1	00	01	77
			9	00	04	55
			10	00	13	66
			12	00	11	38
			13	00	04	55
			17/1	00	02	02
			17/2	00	07	33
			18	00	08	60
			24	00	05	81
			25	00	12	14
		70	4	00	01	77
			5	00	14	16
			6	00	00	25
		99	5/1	00	03	03
			5/2	00	00	75
		100	1	00	14	67
			2/1	00	00	25
			2/2	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		100	2/3	00	00	50
			8	00	02	78
			9/1	00	13	66
			9/2	00	00	50
			10	00	01	01
			12/2	00	00	25
			13	00	13	15
			14	00	05	31
			16	00	08	85
			17/1	00	08	85
			17/2	00	00	50
			25	00	06	07
		101	21	00	12	14
			22/2	00	00	25
		105	20	00	11	13
			21	00	03	54
			22	00	13	66
			23	00	00	25
		106	1	00	02	78
			2	00	14	92
			3	00	01	01
			7/1	00	01	26
			7/2	00	03	28
			8	00	13	91
			9	00	00	75
			14	00	11	13
			15	00	08	09
			16	00	07	59
		140	2	00	00	75
			3	00	14	16
			4	00	02	53
			6	00	06	57
			7	00	12	39
			15	00	10	12

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		141	11	00	08	09
			20	00	11	38
			21	00	07	84
		146	1	00	11	13
			10	00	11	38
			11	00	11	63
			12	00	00	25
			19	00	07	08
			20	00	02	78
			22	00	11	63
		175	2	00	11	89
			3	00	00	25
			9	00	02	78
			8	00	11	38
			13	00	12	65
			14	00	00	50
			17	00	11	13
			18/1	00	01	51
			18/2	00	00	50
			24/1	00	00	25
			24/2	00	10	87
			25/1	00	00	25
			25/2	00	01	01
		181	10	00	02	02
			11	00	12	65
			18/1/1	00	04	55
			18/1/2	00	02	53
			18/2	00	00	50
			19/1	00	00	25
			19/2	00	12	65
			20	00	08	34

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		181	23/2	00	09	10
			24	00	04	04
		182	4	00	00	75
			5	00	12	65
			6	00	09	86
			15	00	00	25
		206	4	00	13	40
			6/2	00	08	60
			7	00	08	85
			15	00	12	90
			16	00	01	26
		207	11	00	00	75
			20	00	11	89
			21	00	09	86
			22	00	02	53
		210	1	00	00	25
			2	00	12	90
			8	00	08	34
			9	00	05	31
			13	00	12	90
			14	00	00	25
			17	00	10	37
			18	00	02	78
			24	00	07	33
			243	00	02	78
			244	00	02	53
			251	00	02	27
			252	00	03	03
			302	00	00	50

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			303	00	00	50
			306	00	02	02
			340	00	02	78
			356	00	00	50
			361	00	01	51

[फा. सं. आर-31015/9/2009-ओ.आर.-II.]

ए. गोस्वामी, अवर सचिव

New Delhi, the 14th September, 2009

S. O. 2548.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 1233 dated the 08th May 2009, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for the transportation of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana by the Hindustan Petroleum Corporation Limited for implementing the "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh" in Tehsil Rohtak, District Rohtak, in Haryana State;

And whereas, copies of the said gazette notification were made available to the public on 13.07.2009.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, has submitted his report to the Central Government.

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Hindustan Petroleum Corporation Limited free from all encumbrances.

SCHEDULE

Tehsil : ROHTAK		District : ROHTAK		State : HARYANA		
Name of Village	Hadbast No.	Mustatil No.	Khasra / Killa No.	Area		
				Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. GHRAOTHI	92	135	21	00	00	25
		155	21	00	04	80
		156	11	00	11	63
			12	00	02	78
			17	00	02	02
			18	00	13	15
			19	00	09	10
			20	00	00	25
			24	00	08	60
			25/1	00	06	57
			25/2	00	06	57
		157	1	00	08	34
			2	00	12	90
			3	00	03	54
			6	00	03	28
			7	00	13	66
			8	00	09	86
			9	00	00	25
			14	00	00	25
			15	00	09	86
		162	1	00	07	33
			2	00	13	66
			3	00	05	31
			6	00	05	31
			7/1	00	04	55
			7/2	00	08	85
			8	00	08	60
			15	00	08	34

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		163	11	00	13	66
			12	00	04	30
			17	00	03	03
			18/1	00	03	54
			18/2	00	03	79
			19	00	08	60
			20	00	00	25
			24	00	10	62
			25	00	13	15
		164	21	00	02	02
		175	11	00	06	07
			18/1	00	02	78
			18/2/1	00	03	79
			18/2/2	00	00	25
			19	00	13	66
			20/1	00	04	30
			22/2	00	00	25
			23/1	00	05	81
			24/1	00	03	28
			24/2/1	00	00	25
			24/2/2	00	08	34
			25/1	00	03	28
			25/2	00	00	25
		176	1	00	11	38
			2	00	12	90
			3	00	01	26
			6	00	00	25
			7	00	11	63
			8	00	12	14
			9	00	00	75
			14	00	02	02
			15	00	13	40
		177	5	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		187	4/2	00	00	25
			5	00	10	12
		188	1	00	12	39
			2	00	01	01
			7	00	00	25
			8	00	09	61
			9	00	12	90
			10	00	01	28
			13	00	04	04
			14	00	13	91
			15	00	06	83
			16	00	07	08
		189	19	00	03	79
			20	00	13	15
			21/2	00	00	25
			22/1	00	10	12
			23/1	00	11	38
			23/2	00	01	01
			24/1	00	00	25
			24/2	00	00	50
		192	9	00	02	27
			10	00	15	18
			12/1	00	00	25
			12/2	00	08	34
			13	00	13	15
			14	00	01	77
			17	00	03	79
			18	00	00	50
		193	3	00	01	51
			4	00	12	90
			5	00	08	85
			6	00	05	31
			409	00	04	30
			409/1	00	01	26

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			419	00	03	03
			424	00	01	51
			437	00	01	26
			483	00	00	50
			486	00	01	51
			498	00	00	75
			504	00	01	26
			505	00	00	50
			1014	00	01	51
			1026	00	02	02
			1034	00	01	01
2. GHUSKANI	86	38	16	00	10	12
			17	00	08	34
			25	00	03	28
		39	20	00	00	25
			21	00	13	91
			22	00	07	84
		49	21	00	06	57
			10	00	02	78
			11/1	00	10	37
		50	11/2	00	00	50
			12	00	12	65
			13	00	00	75
			16	00	00	25
			17	00	09	86
			18	00	12	90
			19	00	01	01
			24	00	03	54
			25	00	13	91
		51	2	00	06	07
			3	00	13	40
			4	00	02	78
			6	00	13	40
			7	00	08	85
			15/1	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		55	1	00	07	08
			2	00	13	91
			3	00	03	28
			7/1	00	00	25
			7/2	00	03	28
			7/3	00	03	28
			8/1	00	07	59
			8/2	00	03	03
			8/3	00	00	25
			9/1	00	00	25
			69	00	01	77
3. TITOU LI	88	6	11	00	09	86
			12	00	00	25
			18	00	07	84
			19	00	13	66
			20	00	03	28
			23	00	06	32
			24/1	00	09	86
			24/2	00	04	30
			25	00	05	81
		7	6	00	00	25
			7	00	02	78
			14	00	02	78
			15	00	13	40
		23	5	00	08	34
		24	1	00	13	66
			2	00	03	28
			7	00	02	78
			8	00	13	40
			9	00	10	12
			10	00	00	25
			13	00	00	50
			14	00	10	12
			15	00	10	62

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		25	11	00	10	62
			12	00	00	75
			18	00	08	85
			19	00	12	14
			20/1	00	02	02
			195/1/2	00	01	01
			197	00	01	77
			217	00	01	01
4. JINDRAN	87	35	21	00	00	50
		36	17/1	00	00	50
			17/2	00	03	28
			18/2	00	01	01
			18/3	00	03	79
			24	00	12	14
			25	00	11	63
		38	5	00	02	02
		39	1	00	13	40
			2	00	09	61
			3	00	00	25
			6	00	00	25
			7	00	11	38
			8	00	13	15
			9	00	03	79
		40	11	00	11	38
			12	00	00	50
			17	00	00	75
			18	00	11	63
			19	00	12	65
			20/1	00	01	77
			23	00	01	26
			24	00	12	65
			25	00	11	89

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		41	21	00	01	01
		46	21	00	07	08
			22	00	02	27
			23	00	01	01
			24	00	00	25
		47	11	00	12	65
			12	00	02	53
			17/2	00	03	28
			18	00	13	15
			19	00	11	38
			20	00	00	50
			23/2	00	00	25
			24	00	11	13
		48	1	00	12	39
			2	00	12	65
			3	00	01	26
			6/2/2	00	02	02
			7/2	00	11	89
			8/1	00	00	50
			8/2	00	11	89
			9	00	01	01
			14	00	00	75
			15/1	00	10	87
			15/2	00	01	01
		49	5	00	01	26
		53	5	00	00	25
		54	1/1	00	01	77
			1/2	00	06	32
			2/1	00	04	80
			2/2	00	05	31
			3	00	11	89
			4	00	14	92

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			60/1	00	01	01
			65	00	00	50
			70	00	09	86
5. KHIDWALI	85	201	21/2	00	01	01
			21/3	00	03	28
			22/2	00	04	55
			23	00	00	25
		202	21	00	02	27
			22	00	02	27
			23/2	00	02	78
			24/1	00	03	03
			24/2	00	00	25
			25/2	00	04	04
		203	21	00	01	01
			22	00	01	01
			23/2	00	01	01
			24/1	00	01	01
			24/2	00	00	75
			25/1	00	02	02
			25/2	00	00	25
		204	21/2	00	00	25
			22	00	00	25
			23/2	00	00	25
			24/2	00	00	25
			25	00	00	50
		206	21	00	00	25
		207	25	00	00	25
		208	5	00	09	10
		209	1/1	00	12	39
			2/1	00	12	39
			3	00	12	39

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			4	00	12	39
			5/1	00	05	81
			5/2	00	05	06
		210	1	00	12	39
			2/1	00	03	03
			2/2	00	09	36
			3	00	12	39
			4	00	12	39
			5/1	00	02	53
			5/2	00	09	86
		211	1	00	12	39
			2	00	12	39
			3	00	12	39
			4	00	12	39
			5/1	00	11	89
		212	1/2	00	10	87
			2/1/1	00	10	87
			3/1	00	10	87
			4/1/1	00	05	56
			4/2	00	05	06
			5	00	10	12
		213	1	00	10	12
			2	00	10	12
			3	00	09	61
			4/1	00	08	60
			4/2	00	00	50
			5	00	08	34
		214	1	00	07	84
			2/1	00	06	32
			2/2	00	02	27
			3/1	00	04	04
			3/2	00	02	78
			6	00	00	25
			7	00	11	63

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			8	00	03	79
			14	00	04	30
			15	00	13	40
			16/1	00	00	75
		215	11	00	00	75
			19	00	02	53
			20	00	14	16
			21	00	00	25
			22	00	13	15
			23/1	00	00	75
			23/2	00	03	79
		218	3/1	00	00	25
			3/2	0	10	62
			4	00	07	08
			7	00	04	80
			440	00	07	08
			455	00	01	01
			456	00	01	51
			471	00	00	50
6. BRAHMANWAS	80	54	10	00	00	25
			11	00	13	40
			12	00	05	31
			17	00	00	25
			19	00	08	09
			23	00	03	28
			18/1	00	00	25
			18/2	00	09	86
			24/1	00	05	56
			24/2	00	08	60
			25/2	00	03	28
			26	00	01	26
		55	6	00	11	63
			7	00	03	03
			15	00	00	75

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		58	5	00	10	12
			4	00	00	25
		59	1	00	09	36
			8	00	01	01
			9	00	13	40
			10/1	00	03	54
			10/2	00	02	02
			12/1	00	01	26
			13	00	14	67
			14	00	05	81
			16	00	10	87
			17	00	09	10
			25	00	04	04
			26	00	00	25
		60	21	00	13	91
			22/1	00	02	02
		68	11	00	00	75
			19/2	00	04	04
			20	00	14	67
			21	00	00	25
			22/1	00	06	07
			22/2	00	05	06
			23/1	00	00	50
			23/2	00	08	09
		69	1	00	00	25
			2	00	10	87
			3	00	05	31
			7	00	10	12
			8	00	09	88
			14	00	05	06
			15	00	13	15
			16	00	01	01
		79	3/2	00	07	08
			4	00	11	63

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		79	5	00	00	25
			6	00	14	16
			7	00	03	79
			15	00	00	25
		80	6	00	07	84
			7	00	00	50
			10	00	03	54
			11/1	00	07	08
			11/2/1	00	00	13
			11/2/2	00	00	12
			12/1/1	00	00	75
			12/1/2	00	11	63
			13/2	00	12	39
			14	00	11	63
			15	00	05	06
		81	3	00	00	25
			4/1	00	01	51
			4/2	00	04	55
			5/1	00	00	50
			5/2	00	11	13
			7/1	00	06	07
			8	00	12	14
			9	00	12	65
			10	00	12	65
			11	00	00	25
		82	1	00	01	51
			106	00	00	50
			107	00	00	50
			108	00	01	51
			114	00	02	78
			115	00	00	50
			117	00	02	78
			311	00	00	50
			322	00	00	75
			327	00	00	50

(1)	(2)	(3)	(4)	(5)	(6)	(7)
7. BASANTPUR	63	33	22/3	00	00	28
			23/1/2	00	02	53
			23/1/3	00	04	80
			25	00	12	65
		34	21	00	12	90
			22	00	02	78
		42	11/1	00	01	77
			19	00	04	04
			20	00	14	16
			21	00	00	25
			22	00	10	62
			23	00	00	50
		43	2	00	05	06
			3/1	00	10	62
			3/2	00	01	26
			4/2	00	00	25
			6	00	00	75
			7	00	13	66
			8	00	03	54
			14	00	01	26
			15	00	13	15
			16	00	00	25
		44	1	00	11	38
			2	00	11	89
			3/1	00	02	53
			54	00	04	55
			69	00	03	28
			73	00	03	03
8. MAKRAULI KALAN	64	6	22	00	02	02
			23	00	07	08

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		13	10/2	00	01	77
			11	00	13	40
			12	00	05	81
			18	00	09	86
			19/1	00	07	08
			19/2	00	02	53
			23	00	03	79
			24	00	13	91
			25/1	00	01	01
		14	3	00	07	84
			4	00	11	63
			5	00	00	25
			6	00	14	67
			7	00	03	03
			15/1	00	00	25
		33	4	00	04	30
			5	00	08	60
		35	1	00	04	80
			9	00	09	36
			10	00	10	37
			12/1	00	00	25
			12/2	00	05	06
			12/3	00	00	50
			13/1	00	03	54
			13/2/1	00	05	06
			13/2/2	00	02	02
			13/2/3	00	04	04
			14/1/1	00	00	50
			14/1/2	00	00	25
			16/1	00	00	25
			16/2	00	04	30
			17	00	13	91
			18	00	00	75
			25	00	09	36
		36	21	00	09	36

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		42	1/1	00	00	25
			1/2	00	05	81
			201	00	01	77
			228	00	01	51
			229	00	00	50
			241	00	00	25
9. LADHAUT	65	1	24	00	01	26
			25	00	07	84
		9	1	00	08	09
			9	00	07	84
			10	00	07	84
			12/1	00	00	50
			12/2	00	08	09
			13	00	07	33
			17	00	07	84
			18	00	09	10
			24	00	09	36
			25	00	07	84
		10	5	00	08	85
		13	5	00	09	36
		14	1	00	07	33
			9	00	07	59
			10	00	09	10
			12/1	00	01	51
			12/2	00	07	33
			13	00	07	33
			17/2	00	06	57
			18/1	00	07	59
			18/2	00	01	77
			24	00	10	87
			25	00	05	56

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		22	1	00	03	54
			9	00	04	04
			10	00	11	63
			12	00	12	90
			13/1	00	03	28
			17	00	01	51
			18/1	00	06	32
			18/2	00	07	08
			19	00	00	25
			23	00	00	25
			24	00	13	91
			25	00	02	02
		23	5/1	00	02	53
			5/2	00	08	09
		33	4	00	00	25
			5	00	14	92
			6	00	00	75
		34	1/2	00	01	01
			9/2	00	00	50
			10	00	14	42
			11	00	01	51
			12	00	13	91
			13	00	00	25
			18	00	13	15
			19	00	02	53
			23	00	04	30
			24	00	10	62
		38	1/2	00	00	25
			10	00	06	83
			11	00	10	87
			12/1	00	02	53
			12/2	00	02	53
			18	00	02	27
			19	00	12	14
			22	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		38	23	00	14	67
			24	00	00	50
		39	4/1	00	02	53
			4/2	00	04	04
			5/1/2	00	07	59
			5/2/2	00	01	01
			6/1	00	06	32
			6/2	00	00	25
			15	00	00	50
		56	3	00	01	01
			4	00	04	80
			103	00	03	03
			113	00	01	77
			119	00	00	50
			126	00	00	75
			127	00	00	50
			135	00	00	75
10. KILOI KHAS	60	90	4	00	03	79
			5/2	00	12	39
		91	1/1/1	00	08	34
			1/1/2	00	03	28
			1/2	00	00	75
			2	00	03	28
			3	00	05	31
			4/2	00	11	13
			5/2/2	00	02	02
			6/1	00	01	01
			6/2	00	10	87
			7/1	00	00	75
			7/2	00	00	25
		92	10	00	04	80
			11/1	00	10	62
			12	00	08	34

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		92	18	00	11	38
			19/1	00	00	50
			19/2	00	06	57
			23	00	04	80
			24	00	14	42
			25	00	01	01
		116	21	00	01	77
		117	1/2	00	03	79
			9/1	00	00	50
			9/2	00	06	32
			10	00	11	38
			12/1	00	00	25
			12/2	00	08	09
			13	00	10	12
			16	00	00	25
			17	00	13	15
			18	00	03	54
			24	00	02	02
			25	00	14	67
		118	4/2	00	00	75
			5	00	13	91
		125	5	00	00	50
		126	1	00	13	40
			2	00	04	04
			8	00	07	84
			9	00	10	87
			12/2/1	00	00	50
			12/2/2	00	02	53
			13/1	00	00	25
			13/2	00	03	79
			14	00	09	61
			16	00	11	89
			17/1	00	05	81
			25	00	03	54

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		127	20	00	00	25
			21	00	14	16
			22	00	00	25
		145	1	00	01	51
			2	00	14	67
			3	00	01	51
			7	00	04	04
			8	00	13	66
			9	00	00	50
			14	00	11	38
			15	00	06	83
			16	00	08	60
		158	2	00	02	02
			3	00	13	66
			4	00	00	25
			6	00	01	51
			7/1	00	12	65
			7/2	00	01	77
			8	00	02	02
			14	00	00	75
			15	00	14	42
			16	00	00	25
		159	11	00	02	53
			19	00	04	04
			20	00	13	40
			22	00	12	14
			23	00	06	07
		170	11/2	00	10	37
			19	00	11	38
			20	00	05	56
			22	00	04	80
			23	00	11	89
		171	3/1	00	00	50
			3/2	00	09	36

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		171	4/2	00	07	08
			6	00	08	60
			7	00	08	85
			15	00	07	33
		185	3	00	04	30
			4	00	05	81
			223	00	05	06
			224	00	05	31
			225	00	06	07
			231	00	01	26
			244	00	00	50
			249	00	00	75
			252	00	01	77
11. BHALOUT	59	9	19	00	00	25
			20	00	09	61
			21	00	04	04
			22	00	13	66
			23	00	07	33
		10	9	00	10	87
			10/1	00	03	03
			10/2	00	06	57
			12	00	01	26
			13	00	09	36
			14	00	10	62
			15	00	00	25
			16/1	00	01	51
			16/2	00	11	38
			17	00	02	53
		11	6	00	12	39
			7	00	09	10
		26	3	00	06	83
			4	00	12	39
			5/1	00	00	25
			6	00	14	16

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		26	7	00	02	78
			15	00	01	51
		27	10	00	00	25
			11	00	13	91
			12	00	02	27
			18/1/3	00	00	50
			18/2	00	02	27
			19/1	00	00	50
			19/2	00	14	67
			Cart Track	00	01	26
			20/1	00	00	25
			23/2/1	00	00	75
			23/2/2	00	00	50
			23/2/3	00	08	85
			24/2	00	07	33
			24/4	00	02	78
		34	11	00	11	13
			18	00	00	25
			19	00	13	66
			20/2	00	03	54
			22	00	02	02
			23	00	14	16
			24	00	01	01
		35	4/1	00	00	25
			4/2/4	00	05	56
			6/1/2	00	08	09
			6/2/2	00	00	10
			6/2/3	00	00	15
			6/2/4	00	00	25
			7/1/1	00	04	55
			7/1/2	00	02	78
			7/1/3	00	01	51
			7/1/4	00	00	25
			15	00	06	83

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		61	3/1	00	00	25
			3/2	00	00	25
			4	00	14	67
			5	00	03	54
			6	00	12	14
			7	00	00	25
		62	10	00	05	81
			11	00	09	61
			12	00	08	34
			18	00	11	38
			19	00	07	08
			23	00	03	79
			24	00	13	66
			25	00	00	50
		68	21/2	00	00	25
		69	1	00	01	77
			9	00	04	55
			10	00	13	66
			12	00	11	38
			13	00	04	55
			17/1	00	02	02
			17/2	00	07	33
			18	00	08	60
			24	00	05	81
			25	00	12	14
		70	4	00	01	77
			5	00	14	16
			6	00	00	25
		99	5/1	00	03	03
			5/2	00	00	75
		100	1	00	14	67
			2/1	00	00	25
			2/2	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		180	2/3	00	00	50
			8	00	02	78
			9/1	00	13	66
			9/2	00	00	50
			10	00	01	01
			12/2	00	00	25
			13	00	13	15
			14	00	05	31
			16	00	08	85
			17/1	00	08	85
			17/2	00	00	50
			25	00	06	07
		181	21	00	12	14
			22/2	00	00	25
		185	20	00	11	13
			21	00	03	54
			22	00	13	66
			23	00	00	25
		186	1	00	02	78
			2	00	14	82
			3	00	01	01
			7/1	00	01	26
			7/2	00	03	28
			8	00	13	91
			9	00	00	75
			14	00	11	13
			15	00	08	09
			16	00	07	59
		189	2	00	00	75
			3	00	14	16
			4	00	02	53
			6	00	06	57
			7	00	12	39
			15	00	10	12

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		141	11	00	08	09
			20	00	11	38
			21	00	07	84
		146	1	00	11	13
			10	00	11	38
			11	00	11	63
			12	00	00	25
			19	00	07	08
			20	00	02	78
			22	00	11	63
		175	2	00	11	89
			3	00	00	25
			9	00	02	78
			8	00	11	38
			13	00	12	65
			14	00	00	50
			17	00	11	13
			18/1	00	01	51
			18/2	00	00	50
			24/1	00	00	25
			24/2	00	10	87
			25/1	00	00	25
			25/2	00	01	01
		181	10	00	02	02
			11	00	12	65
			18/1/1	00	04	55
			18/1/2	00	02	53
			18/2	00	00	50
			19/1	00	00	25
			19/2	00	12	65
			20	00	08	34

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		181	23/2	00	09	10
			24	00	04	04
		182	4	00	00	75
			5	00	12	65
			6	00	09	86
			15	00	00	25
		206	4	00	13	40
			6/2	00	08	60
			7	00	08	85
			15	00	12	90
			16	00	01	26
		207	11	00	00	75
			20	00	11	89
			21	00	09	86
			22	00	02	53
		210	1	00	00	25
			2	00	12	90
			8	00	08	34
			9	00	05	31
			13	00	12	90
			14	00	00	25
			17	00	10	37
			18	00	02	78
			24	00	07	33
			243	00	02	78
			244	00	02	53
			251	00	02	27
			252	00	03	03
			302	00	00	50

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			303	00	00	50
			306	00	02	02
			340	00	02	78
			356	00	00	50
			361	00	01	51

[F. No. R-31015/9/2009-O.R.-II]

A. GOSWAMI, Under Secy.

नई दिल्ली, 14 सितम्बर, 2009

का. आ. 2549. — केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ. 1304 दिनांक 12.05.09, द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् उक्त अधिनियम कहा जायेगा) की धारा 3(1) के अधीन अधिसूचना प्रकाशित कर, रमन मंडी (पंजाब राज्य में) से बहादुरगढ़ (हरियाणा राज्य में) तक, पेट्रोलियम उत्पाद के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा "जी जी एस आर उत्पाद निष्क्रमण परियोजना रमन मंडी से बहादुरगढ़ पेट्रोलियम पाइपलाइन" के सम्बन्ध में उक्त अधिसूचना से संलग्न अनुसूची में निर्दिष्ट तहसील जुलाना जिला जीन्द राज्य हरियाणा की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी,

और, उक्त अधिसूचना की प्रतियां जनता को दिनांक 15.07.2009 को उपलब्ध करा दी गई थी,

और, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी वित्तीयों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : जुलाना		जिला : जीन्द		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्तसिल संख्या	खसरा/ कित्ता संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. मालवी	22	74	11	00	00	42
			12	00	07	59
			18	00	10	12
			19	00	06	32
			23	00	06	32
			24	00	10	12
		77	4	00	06	32
			5	00	10	12
			6	00	06	32
		78	10	00	10	12
			11	00	06	32
			12	00	10	12
			18	00	10	12
			19	00	07	59
			23	00	06	32
			24	00	10	12
		98	10	00	10	12
			11	00	06	32
			12	00	10	12
			18	00	08	85
			19	00	06	32
			23	00	06	32
			24	00	07	59
			रास्ता	00	01	26
		99	4	00	06	32
			5	00	10	12
			6	00	06	32
		107	4	00	06	32
			5	00	10	12

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		107	6	00	05	06
			रास्ता	00	01	26
		108	10	00	10	12
			11/1	00	02	53
			11/2	00	03	79
			12	00	08	85
			18	00	07	59
			19	00	07	59
			23	00	07	59
			24	00	07	59
		122	10	00	06	32
			11	00	08	85
			12	00	06	32
			18/2	00	06	32
			19	00	10	12
			23/1	00	03	79
			रास्ता	00	01	26
			23/2	00	05	06
			24	00	06	32
		123	4	00	08	85
			5	00	07	59
			6	00	08	85
		144	4	00	10	12
			5	00	05	06
			6	00	11	38
		145	10	00	03	79
			11	00	12	65
			12	00	03	79

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		145	18	00	03	79
			19	00	13	91
			20	00	00	42
			22	00	00	42
			23	00	12	65
			24	00	07	59
		146	3	00	00	42
			4/1	00	07	59
			रास्ता	00	02	53
			5	00	10	12
		147	1	00	11	38
			2/1	00	01	26
			6	00	00	42
			7/2	00	17	70
			8	00	11	38
			9	00	10	12
			10	00	01	26
			14	00	02	53
			15	00	12	65
		153	21	00	10	12
			22	00	00	42
		154	11	00	12	65
			12	00	07	59
			13	00	00	42
			16	00	00	42
			17	00	08	85
			18	00	12	65
			19	00	05	06
			24	00	03	79
			25	00	12	65

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		156	1	00	03	79
			2	00	12	65
			3	00	11	38
			4	00	00	42
			7	00	03	79

[फा. सं. आर-31015/12/2009-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 14th September, 2009

S. O. 2549.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 1304 dated the 12th May 2009, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for the transportation of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana by the Hindustan Petroleum Corporation Limited for implementing the "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh" in Tehsil Julana, District Jind, in Haryana State;

And whereas, copies of the said gazette notification were made available to the public on 15.07.2009.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, has submitted his report to the Central Government.

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Hindustan Petroleum Corporation Limited free from all encumbrances.

SCHEDULE

Tehsil : JULANA		District : JIND		State : HARYANA		
Name of Village	Hadbast No.	Mustatli No.	Khasra / Killa No.	Area		
				Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. MALVI	22	74	11	00	00	42
			12	00	07	59
			18	00	10	12
			19	00	06	32
			23	00	06	32
			24	00	10	12
		77	4	00	06	32
			5	00	10	12
			6	00	06	32
		78	10	00	10	12
			11	00	06	32
			12	00	10	12
			18	00	10	12
			19	00	07	59
			23	00	06	32
			24	00	10	12
		98	10	00	10	12
			11	00	06	32
			12	00	10	12
			18	00	08	85
			19	00	06	32
			23	00	06	32
			24	00	07	59
			Cart track	00	01	26
		99	4	00	06	32
			5	00	10	12
			6	00	06	32
		107	4	00	06	32
			5	00	10	12

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		107	6	00	05	06
			Cart track	00	01	26
		108	10	00	10	12
			11/1	00	02	53
			11/2	00	03	79
			12	00	08	85
			18	00	07	59
			19	00	07	59
			23	00	07	59
			24	00	07	59
		122	10	00	06	32
			11	00	08	85
			12	00	06	32
			18/2	00	06	32
			19	00	10	12
			23/1	00	03	79
			Cart track	00	01	26
			23/2	00	05	06
			24	00	06	32
		123	4	00	08	85
			5	00	07	59
			6	00	08	85
		144	4	00	10	12
			5	00	05	06
			6	00	11	38
		145	10	00	03	79
			11	00	12	65
			12	00	03	79

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		145	18	00	03	79
			19	00	13	91
			20	00	00	42
			22	00	00	42
			23	00	12	65
			24	00	07	59
		146	3	00	00	42
			4/1	00	07	59
			Cart track	00	02	53
			5	00	10	12
		147	1	00	11	38
			2/1	00	01	26
			6	00	00	42
			7/2	00	17	70
			8	00	11	38
			9	00	10	12
			10	00	01	26
			14	00	02	53
			15	00	12	65
		153	21	00	10	12
			22	00	00	42
		154	11	00	12	65
			12	00	07	59
			13	00	00	42
			16	00	00	42
			17	00	08	85
			18	00	12	65
			19	00	05	06
			24	00	03	79
			25	00	12	65

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		156	1	00	03	79
			2	00	12	65
			3	00	11	38
			4	00	00	42
			7	00	03	79

[F. No. R-31015/12/2009-O.R.-II]

A. GOSWAMI, Under Secy

नई दिल्ली, 15 सितम्बर, 2009

का. आ. 2550.— केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ. 1302 दिनांक 12.05.09, द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् उक्त अधिनियम कहा जायेगा) की धारा 3(1) के अधीन अधिसूचना प्रकाशित कर, रमन मंडी (पंजाब राज्य में) से बहादुरगढ़ (हरियाणा राज्य में) तक, पेट्रोलियम उत्पाद के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा "जी जी एस आर उत्पाद निष्क्रमण परियोजना रमन मंडी से बहादुरगढ़ पेट्रोलियम पाइपलाइन" के सम्बन्ध में उक्त अधिसूचना से संलग्न अनुसूची में निर्दिष्ट तहसील हांसी जिला हिसार राज्य हरियाणा की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी,

और, उक्त अधिसूचना की प्रतियां जनता को दिनांक 14.07.2009 को उपलब्ध करा दी गई थी,

और, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : हांसी		जिला : हिसार		राज्य : हरियाणा		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/ संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. भकलाना	94	40	21	00	12	39
			22	00	12	65
			23	00	00	75
		41	16	00	00	50
			17	00	07	84
			18	00	12	65
			19	00	12	39
			20	00	12	39
			23	00	00	25
			24	00	05	06
			25	00	11	63
		42	11	00	12	65
			12	00	12	65
			13	00	12	14
			14	00	01	01
			15	00	00	25
			16	00	10	62
			17	00	01	26
			18	00	00	25
		43	6	00	00	25
			7	00	04	55
			8	00	12	39
			9	00	12	90
			10	00	12	90
			13	00	01	77
			14	00	03	54
			15	00	12	90
		44	6	00	04	30

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		49	2	00	07	08
			3	00	04	04
			7	00	01	51
			8	00	14	42
			9/1	00	01	26
			13	00	00	50
			14	00	14	16
			15	00	03	03
			16	00	12	90
			17	00	00	25
		50	20	00	05	81
			21	00	10	12
			22	00	08	09
		70	11/2	00	00	25
			20	00	07	84
		71	2	00	08	09
			3/1	00	00	50
			3/2	00	09	10
			6	00	00	25
			7	00	12	90
			8	00	05	31
			14	00	03	03
			15	00	13	66
			16	00	01	26
		96	11	00	07	84
		97	7	00	01	51
			8	00	10	12
			9	00	03	54
			13	00	03	03
			14	00	11	38
			15	00	12	39
		101	21	00	12	90
			22	00	08	34
			23	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		110	12	00	00	50
			16	00	01	01
			17	00	13	40
			18	00	08	34
			25	00	12	14
		111	21	00	02	78
		112	11	00	00	25
			18	00	05	56
			19	00	13	15
			20	00	13	15
			22	00	00	25
			23	00	07	33
			24	00	12	90
			25	00	12	39
		113	8	00	02	02
			9	00	11	89
			10	00	12	90
			12	00	01	26
			13	00	09	36
			14	00	12	90
			15	00	09	10
			16	00	03	54
		114	2	00	04	30
			3	00	12	90
			4	00	12	65
			5	00	04	55
			6	00	09	10
			7	00	00	25
		117	5	00	00	50
		118	1	00	10	62
			2	00	09	10
			8	00	06	57

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		118	9	00	08	09
			13	00	11	63
			14	00	03	79
			16	00	00	75
			17	00	15	18
			18	00	00	25
			24	00	01	01
			25	00	14	42
		119	21	00	00	25
		127	1	00	10	87
			9	00	07	08
			10	00	07	84
			12/1	00	03	28
			12/2	00	08	85
			13	00	02	27
			18/1	00	00	50
			18/2	00	12	14
			19	00	00	25
			23	00	07	84
			24	00	06	83
		128	5	00	03	54
		134	4	00	13	91
			5/1	00	00	25
			6	00	10	62
			7	00	02	53
			14	00	00	25
			15/1	00	11	89
			15/2	00	00	25
			सड़क	00	02	78
			16	00	00	50
		135	11/2	00	00	25
			20	00	10	37
			21	00	11	89
			22	00	02	02

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		139	1	00	00	25
			2	00	12	14
			8	00	01	51
			9	00	11	38
			12	00	00	75
			13	00	11	13
			17	00	01	51
			18	00	11	89
			23	00	01	01
			24	00	10	62
		148	4	00	12	65
			5	00	00	50
			7/1	00	01	26
			173/2	00	00	50
			191	00	03	28
			216	00	00	50
			231	00	00	50
			240	00	02	27
			248	00	01	77
			25.1	00	01	01
2. मोहला	62	33	6	00	03	28
			14	00	01	01
			15	00	12	14
			16/1	00	00	50
			16/2	00	09	86
			25	00	00	25
		34	20	00	03	03
			21	00	12	90
		44	20	00	03	03
			21	00	10	87
			22	00	10	12
		45	1	00	08	85
			2	00	02	02
			8	00	05	31
			9	00	12	39
			10	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		45	13	00	09	36
			14/1	00	10	12
			14/2	00	01	01
			15	00	00	25
			16	00	14	16
			17/1	00	02	78
			17/2	00	00	25
			25	00	00	25
		49	2	00	04	30
			3	00	14	42
			4	00	02	27
			6	00	08	85
			7	00	12	39
			8	00	00	25
			15	00	05	56
		50	11/1	00	11	89
			11/2	00	01	51
			12	00	01	51
			18	00	07	08
			19	00	13	40
			20	00	00	75
			23	00	07	59
			24	00	12	90
			25	00	00	25
		57	19	00	01	51
			20	00	11	89
			21	00	01	77
			22	00	11	63
			23	00	13	15
			24	00	04	30
		58	1	00	03	03
			9	00	00	25
			10	00	08	60
			12/1/2	00	05	06
			12/2	00	02	02

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		58	13	00	12	90
			14	00	08	60
			15	00	00	25
			16	00	13	40
			17	00	05	06
		59	4	00	02	02
			5	00	12	90
		68	4	00	07	59
			5	00	12	90
		69	1	00	10	12
			2	00	00	25
			7	00	02	53
			8	00	12	65
			9	00	12	90
			10	00	03	28
			13	00	00	50
			14	00	10	62
			15	00	12	90
		70	11	00	06	07
			19	00	05	31
			20	00	07	08
			107	00	09	61
			110	00	02	53
			113/1	00	01	77
			135	00	01	01
			138	00	01	77
			154	00	00	50
			158	00	00	75
3. बडरपर	61	60	10	00	02	78
		61	21	00	05	31
		62	17	00	01	77
			18	00	12	39
			19	00	08	09

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		62	23/1	00	00	75
			23/2	00	00	25
			24	00	11	38
			25	00	12	90
		63	5	00	00	25
		64	1	00	08	09
			2	00	13	40
			3	00	09	36
			4	00	00	25
			6	00	12	65
			7	00	12	90
			8	00	03	28
			15	00	00	50
		65	11	00	11	13
			12	00	13	15
			13	00	03	28
			16	00	04	80
			17	00	13	40
			18	00	10	12
			19	00	00	25
			24	00	00	25
			25	00	09	10
		66	21/1	00	01	77
			रास्ता	00	02	27
			21/2	00	10	12
			22	00	04	04
		77	21	00	13	40
			22	00	04	80
		78	10	00	05	31
			11	00	07	84
			12	00	13	40
			13	00	05	81
			16	00	06	32

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			17/1	00	03	79
			17/2	00	10	67
			16	00	07	59
			25	00	07	08
	79		1	00	00	25
			2	00	09	36
			3/1	00	12	90
			3/2	00	00	50
			4	00	04	30
			6	00	13	40
			7/1	00	03	03
			7/2	00	05	31
			8	00	00	25
	88		2	00	06	32
			3	00	13	40
			4	00	06	07
			6	00	13	40
			7	00	07	33
	89		10	00	06	07
			11/1	00	07	33
			12/1	00	02	76
			12/2	00	01	01
			12/3	00	07	84
			13	00	00	25
			18	00	12	39
			19	00	03	28
			23	00	04	30
			24	00	11	36
	92		10	00	07	33
			11	00	07	08
			12	00	01	26
	93		4	00	06	07
			5	00	10	12
			6	00	02	76
			नहर	00	06	07

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			142	00	01	01
			143	00	02	27
			157	00	00	75

[फा. सं. आर-31015/10/2009-ओ.आर.-II]

ए. गोस्वामी, अवर सचिव

New Delhi, the 15th September, 2009

S. O. 2550.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 1302 dated the 12th May 2009, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for the transportation of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana by the Hindustan Petroleum Corporation Limited for implementing the "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh" in Tehsil Hansi, District Hisar, in Haryana State;

And whereas, copies of the said gazette notification were made available to the public on 14.07.2009.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, has submitted his report to the Central Government.

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Hindustan Petroleum Corporation Limited free from all encumbrances.

SCHEDULE

Tehsil : HANSI		District : HISAR		State : HARYANA		
Name of Village	Hadbast No.	Mustatil No.	Khasra / Killa No.	Area		
				Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. BHAKLANA	94	40	21	00	12	39
			22	00	12	65
			23	00	00	75
		41	16	00	00	50
			17	00	07	84
			18	00	12	65
			19	00	12	39
			20	00	12	39
			23	00	00	25
			24	00	05	06
			25	00	11	63
		42	11	00	12	65
			12	00	12	65
			13	00	12	14
			14	00	01	01
			15	00	00	25
			16	00	10	62
			17	00	01	26
			18	00	00	25
		43	6	00	00	25
			7	00	04	55
			8	00	12	39
			9	00	12	90
			10	00	12	90
			13	00	01	77
			14	00	03	54
			15	00	12	90
		44	6	00	04	30

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		49	2	00	07	08
			3	00	04	04
			7	00	01	51
			8	00	14	42
			9/1	00	01	26
			13	00	00	50
			14	00	14	16
			15	00	03	03
			16	00	12	90
			17	00	00	25
		50	20	00	05	81
			21	00	10	12
			22	00	08	09
		70	11/2	00	00	25
			20	00	07	84
		71	2	00	08	09
			3/1	00	00	50
			3/2	00	09	10
			6	00	00	25
			7	00	12	90
			8	00	05	31
			14	00	03	03
			15	00	13	66
			16	00	01	26
		96	11	00	07	84
		97	7	00	01	51
			8	00	10	12
			9	00	03	54
			13	00	03	03
			14	00	11	38
			15	00	12	39
		101	21	00	12	90
			22	00	08	34
			23	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		110	12	00	00	50
			16	00	01	01
			17	00	13	40
			18	00	08	34
			25	00	12	14
		111	21	00	02	78
		112	11	00	00	25
			18	00	05	56
			19	00	13	15
			20	00	13	15
			22	00	00	25
			23	00	07	33
			24	00	12	90
			25	00	12	39
		113	8	00	02	02
			9	00	11	89
			10	00	12	90
			12	00	01	26
			13	00	09	36
			14	00	12	90
			15	00	09	10
			16	00	03	54
		114	2	00	04	30
			3	00	12	90
			4	00	12	65
			5	00	04	55
			6	00	09	10
			7	00	00	25
		117	5	00	00	50
		118	1	00	10	62
			2	00	09	10
			8	00	06	57

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		118	9	00	08	09
			13	00	11	63
			14	00	03	79
			16	00	00	75
			17	00	15	18
			18	00	00	25
			24	00	01	01
			25	00	14	42
		119	21	00	00	25
		127	1	00	10	87
			9	00	07	08
			10	00	07	84
			12/1	00	03	28
			12/2	00	08	85
			13	00	02	27
			18/1	00	00	50
			18/2	00	12	14
			19	00	00	25
			23	00	07	84
			24	00	06	83
		128	5	00	03	54
		134	4	00	13	91
			5/1	00	00	25
			6	00	10	62
			7	00	02	53
			14	00	00	25
			15/1	00	11	89
			15/2	00	00	25
			Road	00	02	78
			16	00	00	50
		135	11/2	00	00	25
			20	00	10	37
			21	00	11	89
			22	00	02	02

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		139	1	00	00	25
			2	00	12	14
			8	00	01	51
			9	00	11	38
			12	00	00	75
			13	00	11	13
			17	00	01	51
			18	00	11	89
			23	00	01	01
			24	00	10	62
		148	4	00	12	65
			5	00	00	50
			7/1	00	01	26
			173/2	00	00	50
			191	00	03	28
			216	00	00	50
			231	00	00	50
			240	00	02	27
			248	00	01	77
			251	00	01	01
2. MAHOLA	62	33	6	00	03	28
			14	00	01	01
			15	00	12	14
			16/1	00	00	50
			16/2	00	09	86
			25	00	00	25
		34	20	00	03	03
			21	00	12	90
		44	20	00	03	03
			21	00	10	87
			22	00	10	12
		45	1	00	08	85
			2	00	02	02
			8	00	05	31
			9	00	12	39
			10	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		45	13	00	09	36
			14/1	00	10	12
			14/2	00	01	01
			15	00	00	25
			16	00	14	16
			17/1	00	02	78
			17/2	00	00	25
			25	00	00	25
		49	2	00	04	30
			3	00	14	42
			4	00	02	27
			6	00	08	85
			7	00	12	39
			8	00	00	25
			15	00	05	56
		50	11/1	00	11	89
			11/2	00	01	51
			12	00	01	51
			18	00	07	08
			19	00	13	40
			20	00	00	75
			23	00	07	59
			24	00	12	90
			25	00	00	25
		57	19	00	01	51
			20	00	11	89
			21	00	01	77
			22	00	11	63
			23	00	13	15
			24	00	04	30
		58	1	00	03	03
			9	00	00	25
			10	00	08	60
			12/1/2	00	05	06
			12/2	00	02	02

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		58	13	00	12	90
			14	00	08	60
			15	00	00	25
			16	00	13	40
			17	00	05	08
		59	4	00	02	02
			5	00	12	90
		68	4	00	07	59
			5	00	12	90
		69	1	00	10	12
			2	00	00	25
			7	00	02	53
			8	00	12	65
			9	00	12	90
			10	00	03	28
			13	00	00	50
			14	00	10	62
			15	00	12	90
		70	11	00	08	07
			19	00	05	31
			20	00	07	08
			107	00	09	61
			110	00	02	53
			113/1	00	01	77
			135	00	01	01
			138	00	01	77
			154	00	00	50
			158	00	00	75
3. BORDOCHANG	01	00	10	00	02	78
		61	21	00	05	31
		62	17	00	01	77
			18	00	12	39
			19	00	08	09

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		62	23/1	00	00	75
			23/2	00	00	25
			24	00	11	38
			25	00	12	90
		63	5	00	00	25
		64	1	00	08	09
			2	00	13	40
			3	00	09	36
			4	00	00	25
			6	00	12	65
			7	00	12	90
			8	00	03	28
			15	00	00	50
		65	11	00	11	13
			12	00	13	15
			13	00	03	28
			16	00	04	80
			17	00	13	40
			18	00	10	12
			19	00	00	25
			24	00	00	25
			25	00	09	10
		66	21/1	00	01	77
			Cart track	00	02	27
			21/2	00	10	12
			22	00	04	04
		77	21	00	13	40
			22	00	04	80
		78	10	00	05	31
			11	00	07	84
			12	00	13	40
			13	00	05	81
			16	00	06	32

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			17/1	00	03	79
			17/2	00	10	87
			18	00	07	59
			25	00	07	08
	79		1	00	00	25
			2	00	09	36
			3/1	00	12	90
			3/2	00	00	50
			4	00	04	30
			8	00	13	40
			7/1	00	03	03
			7/2	00	05	31
			8	00	00	25
	88		2	00	06	32
			3	00	13	40
			4	00	06	07
			8	00	13	40
			7	00	07	33
	89		10	00	06	07
			11/1	00	07	33
			12/1	00	02	78
			12/2	00	01	01
			12/3	00	07	84
			13	00	00	25
			18	00	12	39
			19	00	03	28
			23	00	04	30
			24	00	11	38
	92		10	00	07	38
			11	00	07	08
			12	00	01	26
	93		4	00	06	07
			5	00	10	12
			6	00	02	78
			Canal	00	06	07

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			142	00	01	01
			143	00	02	27
			157	00	00	75

[F. No. R-31015/10/2009-O.R.-II]
A. GOSWAMI, Under Secy

नई दिल्ली, 15 सितम्बर, 2009

का.आ. 2551.—केन्द्रीय सरकार ने पेट्रोलियम और प्राकृतिक गैस मंत्रालय के का.आ. 1303 दिनांक 12.05.09, द्वारा पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे उसके पश्चात् उक्त अधिनियम कहा जायेगा) की धारा 3(1) के अधीन अधिसूचना प्रकाशित कर, रमन मंडी (पंजाब राज्य में) से बहादुरगढ़ (हरियाणा राज्य में) तक, पेट्रोलियम उत्पाद के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा "जी जी एस आर उत्पाद निष्क्रमण परियोजना रमन मंडी से बहादुरगढ़ पेट्रोलियम पाइपलाइन" के सम्बन्ध में उक्त अधिसूचना से संलग्न अनुसूची में निर्दिष्ट तहसील सरदूलगढ़ जिला मानसा राज्य पंजाब की भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी,

और, उक्त अधिसूचना की प्रतियां जनता को दिनांक 25.06.2009 को उपलब्ध करा दी गई थी,

और, उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से उपाबद्ध अनुसूची में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये घोषणा करती है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाता है।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : सरदूलगढ		जिला : मानसा		राज्य : पंजाब		
गाँव का नाम	हदबस्त संख्या	मुस्ततिल संख्या	खसरा/ किला संख्या	क्षेत्रफल		
				हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. कुशला	100	60	13	00	02	02
			17/1	00	02	53
			17/2/1	00	07	09
			17/2/2	00	00	50
			18/1	00	08	09
			18/2/1	00	00	25
			24	00	09	10
			25	00	07	08
		61	5	00	09	10
		62	1/1	00	03	28
			1/2	00	04	30
			9	00	07	08
			10/1	00	09	86
			12	00	09	61
			13/1	00	06	83
			17/2	00	06	07
			18/1/1	00	00	25
			18/1/2	00	04	55
			18/1/3	00	00	50
			18/2	00	06	57
			24	00	10	62
			25/1	00	01	01
			25/2	00	04	80
		90	1/1	00	01	77
			1/2	00	01	01
			1/3	00	01	51
			9	00	03	79

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		90	10	00	11	38
			12	00	12	90
			13/1	00	01	01
			13/2	00	02	53
			17	00	01	77
			18	00	14	16
			23	00	00	25
			24	00	14	16
			25	00	02	78
		91	5/2	00	11	38
		95	4/1	00	00	25
			5/1	00	06	83
			5/2	00	02	78
			6	00	00	25
		96	1/2	00	02	27
			9/1	00	01	77
			10/1	00	00	75
			10/2	00	13	40
			11	00	00	25
			12/1	00	01	77
			12/2	00	12	39
			13	00	01	77
			17/1	00	00	75
			18	00	14	42
			19/1	00	00	50
			23	00	01	01
			24	00	13	91
			25	00	00	75
		1118	1	00	00	25
			9/2	00	00	25
			10	00	13	66

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		118	11	00	02	27
			12/2	00	14	16
			13	00	00	25
			18/1/1	00	01	26
			18/2	00	12	39
			19/1/2	00	03	03
			19/2	00	00	25
			23	00	03	54
			24/1	00	10	87
		119	4	00	01	01
			5	00	14	16
			6/1	00	01	77
		127	4	00	03	28
			5	00	11	38
			6	00	04	55
		128	10/1	00	01	77
			10/2	00	10	12
			11	00	05	56
			12	00	11	13
			18	00	10	12
			19/1	00	05	56
			19/2/2	00	00	25
			23/1	00	06	83
			24/1	00	05	81
			24/2	00	01	77
			24/3	00	00	75
		146	4/1	00	00	25
			209	00	00	50
			211	00	00	75
			221	00	03	28

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			653	00	02	27
			654	00	00	75
			655	00	00	50
			656	00	01	26
2. जटाना कलां	147	6	24	00	00	25
		7	4	00	08	09
			5	00	07	84
			6	00	11	38
			15	00	00	25
		8	10	00	02	27
			11/1	00	09	86
			11/2	00	04	55
			12	00	00	50
			19	00	13	15
			20/1	00	01	01
			22	00	05	31
			23/1	00	06	57
			23/2	00	03	03
		26	20	00	01	51
			21	00	07	59
			22	00	07	33
		27	3	00	08	60
			4	00	05	31
			6	00	01	51
			7	00	13	40
			14	00	00	50
			15/1	00	14	16
			15/2	00	00	25
			16	00	01	51

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		31	2	00	08	60
			3	00	12	90
			4	00	12	90
			5	00	10	87
			6/1	00	02	27
		32	1	00	01	01
			10/1	00	12	39
			10/2	00	01	01
			11/1	00	07	33
			12	00	06	07
			19/1	00	01	01
			19/2	00	11	89
			22	00	04	55
			23	00	09	36
		60	21/1	00	05	06
		61	3	00	12	65
			4	00	00	75
			7	00	11	38
			8	00	01	01
			14	00	09	61
			15	00	03	28
			16	00	12	90
			17/1	00	00	25
			25	00	07	33
		70	1/1	00	05	81
			1/2	00	07	33
			2/1	00	00	25
			9	00	10	37
			10/1	00	02	78
			12	00	12	39
			13	00	01	26

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		70	18	00	12	90
			19	00	00	75
			23	00	09	61
			24	00	05	06
			25	00	00	25
		97	11/1	00	04	30
			11/2	00	04	55
			19	00	03	28
			20	00	11	38
			21	00	00	25
			22	00	13	40
			23	00	00	25
		98	1	00	11	63
			2	00	12	39
			3/1	00	07	33
			3/2	00	04	30
			4/1	00	04	55
			4/2	00	08	34
			5	00	01	77
			6/1	00	04	80
			6/2	00	08	09
			7/1	00	00	75
			15/2	00	05	81
			15/3	00	00	25
		99	4	00	09	61
			5	00	10	87
		111	2	00	04	55
			3	00	10	62
			7	00	04	04
			8	00	10	12
			13/1	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		111	14	00	13	06
			15	00	00	25
			16	00	10	87
			17	00	02	78
			25	00	09	38
		112	21	00	04	55
		134	1	00	13	91
			2	00	00	50
			9	00	11	89
			10	00	01	77
			12	00	07	84
			13	00	06	57
			17	00	00	75
			18/1	00	09	86
			18/2	00	04	04
			23	00	01	26
			24	00	09	36
			25	00	04	55
		148	4	00	02	02
			5	00	11	63
		149	1	00	12	39
			2/1	00	05	56
			2/2	00	07	08
			3	00	06	07
			4	00	00	25
			6	00	12	39
			7	00	12	39
			8	00	06	07
			9/1	00	00	25
		150	9/2	00	01	77
			10	00	10	62

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		150	11	00	02	02
			12	00	08	85
			13	00	12	90
			14	00	12	90
			15	00	07	33
			16/1	00	05	06
			17	00	00	25
		151	11	00	00	25
			17	00	03	54
			18	00	12	65
			19	00	12	90
			20	00	12	90
			23	00	00	75
			24	00	08	85
			25/1	00	03	28
			25/2	00	09	61
		152	21	00	12	90
			22	00	07	33
			23	00	00	25
		162	19	00	00	25
			20/1	00	00	50
			20/2	00	03	54
			20/3	00	02	02
			21/1	00	03	03
			21/2	00	01	51
			22/1	00	07	08
			22/2	00	05	31
			23/1	00	12	65
			24/1	00	10	12
			24/2	00	00	75
			25	00	01	51

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		163	11	00	12	65
			12/1	00	10	12
			12/2	00	01	26
			13/1	00	03	28
			16/1	00	11	13
			16/2	00	01	01
			17	00	12	65
			18/1	00	03	79
			18/2	00	06	07
			19/1	00	00	50
			19/2	00	00	50
		164	1	00	04	04
			6	00	00	75
			7	00	09	36
			8	00	12	65
			9	00	12	90
			10	00	08	60
			14	00	03	03
			15	00	12	65
		165	2	00	00	25
			3	00	07	84
			4	00	12	90
			5	00	12	65
			6	00	00	25
		186	4	00	02	02
			5	00	11	13
		187	1/1/1	00	07	08
			1/2	00	04	04
			2	00	12	65
			3	00	05	56
			4/2	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		187	6/2	00	12	90
			7	00	12	90
			8/1	00	06	83
			9/1	00	00	25
		188	9	00	00	50
			10/2/1	00	05	06
			10/2/2	00	04	04
			11/2/1	00	01	26
			11/2/2	00	02	02
			12/1	00	12	14
			12/2	00	00	25
			13/1	00	06	83
			13/2	00	06	07
			14/2/1	00	11	63
			14/2/2	00	00	50
			17	00	00	25
			15	00	03	79
			16/1	00	06	83
		189	20	00	12	90
			19	00	12	65
			22/2	00	00	25
			18	00	05	56
			23	00	06	83
			17	00	00	25
			24	00	12	39
			25	00	12	39
		190	21	00	10	37
		191	1	00	03	28
			2	00	06	83
			301	00	01	77
			320	00	09	86

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			323	00	12	39
			902	00	02	02
			904	00	01	26
			916	00	02	53
			923	00	02	27
			941	00	00	50
			954	00	01	51
			956	00	01	77
			958	00	01	01
3. फल्ला मालुका	166	207	21/1/2	00	03	79
			21/2/1	00	01	26
		208	11	00	13	40
			12/1	00	02	27
			12/2	00	11	13
			13	00	10	87
			14/2	00	01	01
			16/2	00	02	27
			17	00	14	16
			18	00	01	51
			24	00	01	01
			25	00	06	57
		209	1	00	00	50
			6/1	00	00	75
			6/2	00	00	25
			7	00	08	85
			8/1	00	09	36
			8/2	00	03	79
			9	00	12	90
			10	00	12	14
			14	00	03	03
			15	00	11	63

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		210	2/1	00	05	81
			3/1	00	11	89
			3/2	00	00	75
			4	00	12	65
			5	00	07	84
			6	00	04	30
			7	00	00	25
		216	1/1	00	10	12
			2	00	12	90
			3	00	09	86
			4/1	00	00	50
			6/2	00	12	90
			7/1	00	06	07
			7/2	00	05	81
			8	00	02	53
			15	00	00	25
		217	10	00	04	56
			11/1	00	04	55
			11/2	00	03	54
			12/1	00	00	50
			12/2	00	10	87
			13	00	12	65
			14	00	02	27
			16	00	12	39
			17	00	11	89
			18	00	00	50
			25/1	00	00	25
			25/2	00	00	75
		218	20	00	00	75
			21/1	00	04	80
			21/2	00	08	60
			22	00	11	63
			23	00	00	50

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		230	21	00	08	60
		231	9	00	00	25
			10	00	09	86
			11	00	03	54
			12	00	14	16
			13	00	04	80
			16	00	00	75
			17	00	13	15
			18	00	09	61
			24	00	03	03
			25	00	06	57
		232	2	00	01	51
			3	00	13	40
			4	00	10	62
			5	00	00	25
			6	00	12	90
			7	00	02	78
		249	1	00	06	57
			2	00	13	91
			3/1	00	02	78
			6/2	00	00	25
			7	00	08	85
			8	00	11	13
			9	00	00	25
			14/1	00	02	53
			15/1	00	06	83
			15/2	00	07	08
		250	11	00	06	57
			18	00	02	02
			19	00	13	91
			20	00	08	09

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		250	22	00	00	25
			23	00	12	39
			24	00	10	62
			25/2/1	00	00	25
		256	4/1	00	03	28
			5/1/1	00	00	50
			5/1/2	00	12	65
			5/2	00	01	01
			296	00	00	50
			297	00	00	50
			310	00	02	02
			315	00	01	01
			375	00	01	26
			469	00	00	50
			495	00	00	50
			496	00	01	01
			498	00	00	50
			1451	00	04	04
4. अलीके	167	2	14	00	05	31
			16	00	09	61
			17	00	07	84
			25	00	05	31
		3	21	00	12	39
			22	00	00	75
		5	1	00	00	25
			2	00	12	90
			3	00	03	28
			7	00	14	67
			8	00	11	38
			14	00	02	78

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		118	10	00	06	57
			11	00	00	50
			12	00	12	39
			13/1	00	01	77
			13/2	00	09	61
			17	00	07	08
			18	00	02	02
			107	00	02	53
			108	00	02	78
5. झरोके	170	118	4	00	05	56
			5	00	13	66
			6	00	00	25
		119	1	00	02	78
			8/3	00	01	26
			9	00	12	39
			10/1	00	10	62
			12	00	01	01
			13/1	00	09	10
			13/2	00	03	28
			14/1	00	09	61
			14/2/2	00	00	50
			15/2	00	00	25
			16	00	13	40
			17	00	02	27
		120	19	00	02	27
			20	00	08	34
			21/1	00	00	25
			21/2	00	03	54
			22	00	13	91
			23/1	00	04	04
			23/2	00	01	26

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		146	21/1	00	13	66
			22	00	02	78
		147	17	00	12	90
			16	00	04	80
			25/1	00	03	54
		148	3	00	08	60
			4/1	00	06	57
			4/2	00	07	08
			5	00	02	78
			6	00	10	87
			7	00	00	25
		151	1/2	00	00	25
			2	00	10	62
			3	00	13	91
			4	00	01	26
			6	00	11	63
			7	00	12	39
			8	00	00	75
			15	00	02	53
		152	10	00	00	25
			11/1	00	02	78
			11/2	00	14	67
			12	00	02	27
			17/2	00	03	79
			18	00	14	16
			19	00	06	32
			20	00	00	25
			23	00	00	25
			24	00	09	86
			25	00	13	66

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		153	21	00	00	75
		169	20	00	07	08
			21	00	10	12
			22/1	00	05	06
			22/2	00	00	50
		170	1/1	00	13	15
			2	00	09	36
			7	00	06	07
			8/1	00	10	12
			8/2	00	03	79
			9	00	04	30
			14	00	06	57
			15	00	10	62
			16	00	08	09
		171	5/1	00	01	51
		174	2	00	11	13
			3	00	03	79
			7	00	02	02
			8/1	00	12	39
			8/2	00	01	01
			13	00	00	25
			14	00	14	92
			15	00	01	01
			16	00	14	42
			17	00	01	01
			25	00	01	77
		175	21/1/1	00	10	12
			21/1/2	00	00	75

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		182	21	00	03	28
		183	1	00	03	79
			2	00	11	63
			8	00	09	36
			9	00	06	07
			13	00	08	09
			14/1	00	01	51
			14/2	00	06	32
			16	00	05	56
			17	00	10	62
			25	00	11	63
		188	5/1	00	00	25
		189	1/1/2	00	00	50
			1/2	00	13	15
			2	00	02	27
			8/1	00	00	25
			8/2	00	00	75
			9	00	14	92
			10	00	00	25
			12	00	00	50
			13/1	00	08	85
			13/2	00	05	81
			14	00	00	25
			17	00	08	60
			18/1	00	02	02
			24/2	00	07	59
			25	00	11	63
		192	1/1	00	09	86
			10	00	03	28
		193	5	00	06	07

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			230	00	01	51
			233	00	03	28
			235	00	01	26
			237	00	00	50
			239	00	01	51
			243	00	01	01
			1056	00	00	75
			1064	00	01	26
6. बरन	177	3	9	00	08	85
			10	00	04	30
			12	00	08	34
			13	00	08	85
			17	00	08	09
			18	00	08	34
			24	00	07	59
		14	9	00	07	08
			10	00	05	06
			12/1	00	07	84
			12/2	00	00	25
7. हिरके	176	89	21	00	12	90
			22	00	00	50
		90	1	00	04	80
			9	00	00	25
			10	00	07	08
			13	00	11	38
			14	00	00	75
			16/1	00	01	26
			16/2	00	03	79
			17	00	13	91

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		90	18	00	01	26
			25	00	08	09
		91	5	00	11	63
		93	1	00	01	26
			2	00	13	91
			3	00	06	32
			6/2	00	00	50
			7/1	00	10	87
			7/2	00	02	53
			8	00	08	60
			15	00	13	66
			14	00	01	26
		94	11	00	06	32
			18	00	00	25
			19/1	00	00	25
			19/2	00	07	84
			20/1	00	03	03
			20/2	00	05	31
			22/2	00	04	30
			23	00	14	92
			24	00	01	51
		105	10	00	10	12
			11/1	00	05	81
			12/1	00	08	85
			12/2	00	03	79
			13/1	00	00	25
			17	00	02	53
			18	00	14	67
			19	00	01	01

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		105	23	00	00	25
			24	00	13	15
			25	00	06	07
		106	3/1	00	00	25
			4	00	12	14
			5	00	05	81
			6	00	09	61
		110	5	00	09	36
		111	1	00	09	36
			8/2	00	00	25
			9	00	13	15
			10/1	00	04	30
			12	00	02	02
			13/2	00	13	40
			14	00	02	53
			16	00	06	57
			17	00	13	15
			18/1	00	00	25
			25	00	09	86
		112	21	00	08	85
		119	1	00	05	31
			2	00	12	65
			7/2	00	02	53
			8	00	14	67
			9	00	01	51
			13	00	00	25
			14	00	11	13
			126	00	01	51
			127	00	01	01

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			132	00	00	50
			150	00	02	27
			151	00	01	01
			403	00	01	51
			404	00	01	51
			408	00	02	27
			136/1	00	00	50

[फा. सं. आर-31015/11/2009-ओ.आर. 11]

ए. गोस्वामी, अवर सचिव

New Delhi, the 15th September, 2009

S. O. 2551.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India vide number S.O. 1303 dated the 12th May 2009, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to this notification for the purpose of laying pipeline for the transportation of Petroleum Products from Raman Mandi in the State of Punjab to Bahadurgarh in the State of Haryana by the Hindustan Petroleum Corporation Limited for implementing the "GGSR Products Evacuation Project pipeline from Raman Mandi to Bahadurgarh" in Tehsil **Surdulgarh**, District **Mansa**, in **Punjab** State;

And whereas, copies of the said gazette notification were made available to the public on 25.06.2009.

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act, has submitted his report to the Central Government.

And whereas, the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of users in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Hindustan Petroleum Corporation Limited free from all encumbrances.

SCHEDULE

Tehsil : SARDULGARH		District : MANSA		State : PUNJAB		
Name of Village	Hadbast No.	Mustatli No.	Khasra / Killa No.	Area		
				Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. KUSHLA	100	60	13	00	02	02
			17/1	00	02	53
			17/2/1	00	07	09
			17/2/2	00	00	50
			18/1	00	08	09
			18/2/1	00	00	25
			24	00	09	10
			25	00	07	08
		61	5	00	09	10
		62	1/1	00	03	28
			1/2	00	04	30
			9	00	07	08
			10/1	00	09	86
			12	00	09	61
			13/1	00	06	83
			17/2	00	06	07
			18/1/1	00	00	25
			18/1/2	00	04	55
			18/1/3	00	00	50
			18/2	00	06	57
			24	00	10	62
			25/1	00	01	01
			25/2	00	04	80
		90	1/1	00	01	77
			1/2	00	01	01
			1/3	00	01	51
			9	00	03	79

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		90	10	00	11	38
			12	00	12	90
			13/1	00	01	01
			13/2	00	02	53
			17	00	01	77
			18	00	14	16
			23	00	00	25
			24	00	14	16
			25	00	02	78
		91	5/2	00	11	38
		95	4/1	00	00	25
			5/1	00	06	83
			5/2	00	02	78
			6	00	00	25
		96	1/2	00	02	27
			9/1	00	01	77
			10/1	00	00	75
			10/2	00	13	40
			11	00	00	25
			12/1	00	01	77
			12/2	00	12	39
			13	00	01	77
			17/1	00	00	75
			18	00	14	42
			19/1	00	00	50
			23	00	01	01
			24	00	13	91
			25	00	00	75
		118	1	00	00	25
			9/2	00	00	25
			10	00	13	66

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		118	11	00	02	27
			12/2	00	14	16
			13	00	00	25
			18/1/1	00	01	26
			18/2	00	12	39
			19/1/2	00	03	03
			19/2	00	00	25
			23	00	03	54
			24/1	00	10	87
		119	4	00	01	01
			5	00	14	16
			6/1	00	01	77
		127	4	00	03	28
			5	00	11	38
			6	00	04	55
		128	10/1	00	01	77
			10/2	00	10	12
			11	00	05	56
			12	00	11	13
			18	00	10	12
			19/1	00	05	56
			19/2/2	00	00	25
			23/1	00	06	83
			24/1	00	05	81
			24/2	00	01	77
			24/3	00	00	75
		146	4/1	00	00	25
			209	00	00	50
			211	00	00	75
			221	00	03	28

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			653	00	02	27
			654	00	00	75
			655	00	00	50
			656	00	01	26
2. JATANA KALAN	147	6	24	00	00	25
		7	4	00	08	09
			5	00	07	84
			6	00	11	38
			15	00	00	25
		8	10	00	02	27
			11/1	00	09	86
			11/2	00	04	55
			12	00	00	50
			19	00	13	15
			20/1	00	01	01
			22	00	05	31
			23/1	00	06	57
			23/2	00	03	03
		26	20	00	01	51
			21	00	07	59
			22	00	07	33
		27	3	00	08	60
			4	00	05	31
			6	00	01	51
			7	00	13	40
			14	00	00	50
			15/1	00	14	16
			15/2	00	00	25
			16	00	01	51

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		31	2	00	08	60
			3	00	12	90
			4	00	12	90
			5	00	10	87
			6/1	00	02	27
		32	1	00	01	01
			10/1	00	12	39
			10/2	00	01	01
			11/1	00	07	33
			12	00	06	07
			19/1	00	01	01
			19/2	00	11	89
			22	00	04	55
			23	00	09	36
		60	21/1	00	05	06
		61	3	00	12	65
			4	00	00	75
			7	00	11	38
			8	00	01	01
			14	00	09	61
			15	00	03	28
			16	00	12	90
			17/1	00	00	25
			25	00	07	33
		70	1/1	00	05	81
			1/2	00	07	33
			2/1	00	00	25
			9	00	10	37
			10/1	00	02	78
			12	00	12	39
			13	00	01	26

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		70	18	00	12	90
			19	00	00	75
			23	00	09	61
			24	00	05	06
			25	00	00	25
		97	11/1	00	04	30
			11/2	00	04	55
			19	00	03	28
			20	00	11	38
			21	00	00	25
			22	00	13	40
			23	00	00	25
		98	1	00	11	63
			2	00	12	39
			3/1	00	07	33
			3/2	00	04	30
			4/1	00	04	55
			4/2	00	08	34
			5	00	01	77
			6/1	00	04	80
			6/2	00	08	09
			7/1	00	00	75
			15/2	00	05	81
			15/3	00	00	25
		99	4	00	09	61
			5	00	10	87
		111	2	00	04	55
			3	00	10	62
			7	00	04	04
			8	00	10	12
			13/1	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		111	14	00	13	66
			15	00	00	25
			16	00	10	87
			17	00	02	78
			25	00	09	36
		112	21	00	04	55
		134	1	00	13	91
			2	00	00	50
			9	00	11	89
			10	00	01	77
			12	00	07	84
			13	00	06	57
			17	00	00	75
			18/1	00	09	86
			18/2	00	04	04
			23	00	01	26
			24	00	09	36
			25	00	04	55
		148	4	00	02	02
			5	00	11	63
		149	1	00	12	39
			2/1	00	05	56
			2/2	00	07	08
			3	00	06	07
			4	00	00	25
			6	00	12	39
			7	00	12	39
			8	00	06	07
			9/1	00	00	25
		150	9/2	00	01	77
			10	00	10	62

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		150	11	00	02	02
			12	00	08	85
			13	00	12	90
			14	00	12	90
			15	00	07	33
			16/1	00	05	06
			17	00	00	25
		151	11	00	00	25
			17	00	03	54
			18	00	12	65
			19	00	12	90
			20	00	12	90
			23	00	00	75
			24	00	08	85
			25/1	00	03	28
			25/2	00	09	61
		152	21	00	12	90
			22	00	07	33
			23	00	00	25
		162	19	00	00	25
			20/1	00	00	50
			20/2	00	03	54
			20/3	00	02	02
			21/1	00	03	03
			21/2	00	01	51
			22/1	00	07	08
			22/2	00	05	31
			23/1	00	12	65
			24/1	00	10	12
			24/2	00	00	75
			25	00	01	51

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		163	11	00	12	65
			12/1	00	10	12
			12/2	00	01	26
			13/1	00	03	28
			16/1	00	11	13
			16/2	00	01	01
			17	00	12	65
			18/1	00	03	79
			18/2	00	06	07
			19/1	00	00	50
			19/2	00	00	50
		164	1	00	04	04
			6	00	00	75
			7	00	09	36
			8	00	12	65
			9	00	12	90
			10	00	08	60
			14	00	03	03
			15	00	12	65
		165	2	00	00	25
			3	00	07	84
			4	00	12	90
			5	00	12	65
			6	00	00	25
		186	4	00	02	02
			5	00	11	13
		187	1/1/1	00	07	08
			1/2	00	04	04
			2	00	12	65
			3	00	05	56
			4/2	00	00	25

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		187	6/2	00	12	90
			7	00	12	90
			8/1	00	06	83
			9/1	00	00	25
		188	9	00	00	50
			10/2/1	00	05	06
			10/2/2	00	04	04
			11/2/1	00	01	26
			11/2/2	00	02	02
			12/1	00	12	14
			12/2	00	00	25
			13/1	00	06	83
			13/2	00	06	07
			14/2/1	00	11	63
			14/2/2	00	00	50
			17	00	00	25
			15	00	03	79
			16/1	00	06	83
		189	20	00	12	90
			19	00	12	65
			22/2	00	00	25
			18	00	05	56
			23	00	06	83
			17	00	00	25
			24	00	12	39
			25	00	12	39
		190	21	00	10	37
		191	1	00	03	28
			2	00	06	83
			301	00	01	77
			320	00	09	86

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			323	00	12	39
			902	00	02	02
			904	00	01	26
			916	00	02	53
			923	00	02	27
			941	00	00	50
			954	00	01	51
			956	00	01	77
			958	00	01	01
3. FATTA MALUKA	166	207	21/1/2	00	03	79
			21/2/1	00	01	26
		208	11	00	13	40
			12/1	00	02	27
			12/2	00	11	13
			13	00	10	87
			14/2	00	01	01
			16/2	00	02	27
			17	00	14	16
			18	00	01	51
			24	00	01	01
			25	00	06	57
		209	1	00	00	50
			6/1	00	00	75
			6/2	00	00	25
			7	00	08	85
			8/1	00	09	36
			8/2	00	03	79
			9	00	12	90
			10	00	12	14
			14	00	03	03
			15	00	11	63

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		210	2/1	00	05	81
			3/1	00	11	89
			3/2	00	00	75
			4	00	12	65
			5	00	07	84
			6	00	04	30
			7	00	00	25
		216	1/1	00	10	12
			2	00	12	90
			3	00	09	86
			4/1	00	00	50
			6/2	00	12	90
			7/1	00	06	07
			7/2	00	05	81
			8	00	02	53
			15	00	00	25
		217	10	00	04	56
			11/1	00	04	55
			11/2	00	03	54
			12/1	00	00	50
			12/2	00	10	87
			13	00	12	65
			14	00	02	27
			16	00	12	39
			17	00	11	89
			18	00	00	50
			25/1	00	00	25
			25/2	00	00	75
		218	20	00	00	75
			21/1	00	04	80
			21/2	00	08	60
			22	00	11	63
			23	00	00	50

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		230	21	00	08	60
		231	9	00	00	25
			10	00	09	86
			11	00	03	54
			12	00	14	16
			13	00	04	80
			16	00	00	75
			17	00	13	15
			18	00	09	61
			24	00	03	03
			25	00	06	57
		232	2	00	01	51
			3	00	13	40
			4	00	10	62
			5	00	00	25
			6	00	12	90
			7	00	02	78
		249	1	00	06	57
			2	00	13	91
			3/1	00	02	78
			6/2	00	00	25
			7	00	08	85
			8	00	11	13
			9	00	00	25
			14/1	00	02	53
			15/1	00	06	83
			15/2	00	07	08
		250	11	00	06	57
			18	00	02	02
			19	00	13	91
			20	00	08	09

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		250	22	00	00	25
			23	00	12	39
			24	00	10	62
			25/2/1	00	00	25
		256	4/1	00	03	28
			5/1/1	00	00	50
			5/1/2	00	12	65
			5/2	00	01	01
			296	00	00	50
			297	00	00	50
			310	00	02	02
			315	00	01	01
			375	00	01	26
			469	00	00	50
			495	00	00	50
			496	00	01	01
			498	00	00	50
			1451	00	04	04
4. ALIKE	167	2	14	00	05	31
			16	00	09	61
			17	00	07	84
			25	00	05	31
		3	21	00	12	39
			22	00	00	75
		5	1	00	00	25
			2	00	12	90
			3	00	03	28
			7	00	14	67
			8	00	11	38
			14	00	02	78

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		18	10	00	06	57
			11	00	00	50
			12	00	12	39
			13/1	00	01	77
			13/2	00	09	61
			17	00	07	08
			18	00	02	02
			107	00	02	53
			108	00	02	78
5. JHANDOKE	170	118	4	00	05	56
			5	00	13	66
			6	00	00	25
		119	1	00	02	78
			8/3	00	01	26
			9	00	12	39
			10/1	00	10	62
			12	00	01	01
			13/1	00	09	10
			13/2	00	03	28
			14/1	00	09	61
			14/2/2	00	00	50
			15/2	00	00	25
			16	00	13	40
			17	00	02	27
		120	19	00	02	27
			20	00	08	34
			21/1	00	00	25
			21/2	00	03	54
			22	00	13	91
			23/1	00	04	04
			23/2	00	01	26

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		146	21/1	00	13	66
			22	00	02	78
		147	17	00	12	90
			16	00	04	80
			25/1	00	03	54
		148	3	00	08	60
			4/1	00	06	57
			4/2	00	07	08
			5	00	02	78
			6	00	10	87
			7	00	00	25
		151	1/2	00	00	25
			2	00	10	62
			3	00	13	91
			4	00	01	26
			6	00	11	63
			7	00	12	39
			8	00	00	75
			15	00	02	53
		152	10	00	00	25
			11/1	00	02	78
			11/2	00	14	67
			12	00	02	27
			17/2	00	03	79
			18	00	14	16
			19	00	06	32
			20	00	00	25
			23	00	00	25
			24	00	09	86
			25	00	13	66

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		153	21	00	00	75
		169	20	00	07	08
			21	00	10	12
			22/1	00	05	06
			22/2	00	00	50
		170	1/1	00	13	15
			2	00	09	36
			7	00	06	07
			8/1	00	10	12
			8/2	00	03	79
			9	00	04	30
			14	00	06	57
			15	00	10	62
			16	00	08	09
		171	5/1	00	01	51
		174	2	00	11	13
			3	00	03	79
			7	00	02	02
			8/1	00	12	39
			8/2	00	01	01
			13	00	00	25
			14	00	14	92
			15	00	01	01
			16	00	14	42
			17	00	01	01
			25	00	01	77
		175	21/1/1	00	10	12
			21/1/2	00	00	75

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		182	21	00	03	28
		183	1	00	03	79
			2	00	11	63
			8	00	09	36
			9	00	06	07
			13	00	08	09
			14/1	00	01	51
			14/2	00	06	32
			16	00	05	56
			17	00	10	62
			25	00	11	63
		188	5/1	00	00	25
		189	1/1/2	00	00	50
			1/2	00	13	15
			2	00	02	27
			8/1	00	00	25
			8/2	00	00	75
			9	00	14	92
			10	00	00	25
			12	00	00	50
			13/1	00	08	85
			13/2	00	05	81
			14	00	00	25
			17	00	08	60
			18/1	00	02	02
			24/2	00	07	59
			25	00	11	63
		192	1/1	00	09	86
			10	00	03	28
		193	5	00	06	07

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			230	00	01	51
			233	00	03	28
			235	00	01	26
			237	00	00	50
			239	00	01	51
			243	00	01	01
			1056	00	00	75
			1064	00	01	26
6. BARAN	177	3	9	00	08	85
			10	00	04	30
			12	00	08	34
			13	00	08	85
			17	00	08	09
			18	00	08	34
			24	00	07	59
		14	9	00	07	08
			10	00	05	06
			12/1	00	07	84
			12/2	00	00	25
7. HIRKE	176	89	21	00	12	90
			22	00	00	50
		90	1	00	04	80
			9	00	00	25
			10	00	07	08
			13	00	11	38
			14	00	00	75
			16/1	00	01	26
			16/2	00	03	79
			17	00	13	91

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		90	18	00	01	26
			25	00	08	09
		91	5	00	11	63
		93	1	00	01	26
			2	00	13	91
			3	00	06	32
			6/2	00	00	50
			7/1	00	10	87
			7/2	00	02	53
			8	00	08	60
			15	00	13	66
			14	00	01	26
		94	11	00	06	32
			18	00	00	25
			19/1	00	00	25
			19/2	00	07	84
			20/1	00	03	03
			20/2	00	05	31
			22/2	00	04	30
			23	00	14	92
			24	00	01	51
		105	10	00	10	12
			11/1	00	05	81
			12/1	00	08	85
			12/2	00	03	79
			13/1	00	00	25
			17	00	02	53
			18	00	14	67
			19	00	01	01

(1)	(2)	(3)	(4)	(5)	(6)	(7)
		105	23	00	00	25
			24	00	13	15
			25	00	06	07
		106	3/1	00	00	25
			4	00	12	14
			5	00	05	81
			6	00	09	61
		110	5	00	09	36
		111	1	00	09	36
			8/2	00	00	25
			9	00	13	15
			10/1	00	04	30
			12	00	02	02
			13/2	00	13	40
			14	00	02	53
			16	00	06	57
			17	00	13	15
			18/1	00	00	25
			25	00	09	86
		112	21	00	08	85
		119	1	00	05	31
			2	00	12	65
			7/2	00	02	53
			8	00	14	67
			9	00	01	51
			13	00	00	25
			14	00	11	13
			126	00	01	51
			127	00	01	01

(1)	(2)	(3)	(4)	(5)	(6)	(7)
			132	00	00	50
			150	00	02	27
			151	00	01	01
			403	00	01	51
			404	00	01	51
			408	00	02	27
			136/1	00	00	50

[F. No. R-31015/11/2009-O.R.-II]

A. GOSWAMI, Under Secy

नई दिल्ली, 17 सितम्बर, 2009

का. आ. 2552.—केंद्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में विरमगांम से कांडला तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा एक ब्रांच पाईपलाईन बिछाई जानी चाहिये;

और, केंद्रीय सरकार को यह प्रतीत होता है कि ऐसी पाईपलाईन बिछाने के प्रयोजन के लिए ऐसी भूमि जिसके भीतर पाईपलाईन बिछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित है, के उपयोग के अधिकार का अर्जन करना आवश्यक है;

अतः केंद्रीय सरकार पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति जो उक्त अनुसूची में वर्णित भूमि से हितबद्ध है, उक्त अधिनियम, की धारा 3 की उपधारा (1) के अधीन जारी की गयी अधिसूचना से युक्त भारत के राजपत्र की प्रतियां साधारण जनता को उपलब्ध करा दिये जाने की तारीख से इक्कीस दिनों के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाईपलाईन बिछाने के संबंध में लिखित रूप में आक्षेप, सक्षम प्राधिकारी, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, 3/122, गुजरात रिफाइनरी टाउनशिप, पो.ऑ. जवाहरनगर, जिला वडोदरा-391320, गुजरात, को कर सकेगा ।

अनुसूची

जिला : सुरेन्द्रनगर

राज्य : गुजरात

तहसिल का नाम	गांव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
ध्रांगध्रा	कंकावटी	86	0	15	29
		87	0	01	21
		85	0	16	71
		84	0	11	67
		89	0	00	10
		83	0	06	38
		90	0	03	45
		91	0	08	54
		82/1	0	15	02
		92	0	07	55
		खुली जगह	0	60	43
		257	0	09	64
		256	0	00	31
		280	0	52	84
		277	0	05	06
		279	0	13	05
		278	0	00	10
		खुली जगह	0	18	98
		526/1	0	23	78
		526/2	0	12	54
		525	0	00	10
		खुली जगह	0	43	43
		473	0	07	98
		474	0	02	32
		523	0	00	10
		506	0	27	53
		507	0	38	15
		14	0	16	71

1	2	3	4	5	6
		509	0	13	61
		510	0	13	26
		13	0	23	41
		खुली जगह	0	24	31
		493	0	00	10
		586	0	04	97
		587	0	45	03
		रोड	0	05	24
		594	0	00	10
		589	0	22	30
		590	0	01	25
हलवद	मालनीयाद	रोड	0	00	20
		82	0	01	53
		72	0	04	47
		64	0	25	76
		41	0	24	51
		751	0	30	43
		745	0	00	10
		750	0	00	37
		748	0	01	54
		743	0	13	69
		रोड	0	05	14
		702	0	78	27
		698	0	08	68
		672	0	05	94
		671	0	24	38
		634	0	01	07
		635	0	01	01
		636	0	01	10
		630	0	13	67
		609	0	00	53
		612	0	00	10
		611	0	33	84

1	2	3	4	5	6
		547	0	02	32
		548	0	31	75
		549	0	11	41
		550	0	01	16
		551	0	13	04
		552	0	15	46
		534	0	46	88
		रोड	0	06	31
		535	0	04	75
		537	0	14	28
	वेगडवाव	265	0	03	18
	मयुरनगर	खुली जगह	0	01	27
		464	0	17	71
		रोड	0	01	86
		461	0	01	48
		462	0	27	14
		450	0	11	42
		449	0	00	85

फा. सं. आर-25011/7/2009-ओ.आर. 11

बी. के. दाता, अवर सचिव

New Delhi, the 17th September, 2009

S. O. 2552.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of petroleum products from Viramgam to Kandla in the State of Gujarat, a pipeline should be laid by the Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying said pipeline it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Mineral, Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said schedule may within twenty one days from the date on which the copies of this notification issued under sub-section (1) of section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to The Competent Authority, Indian Oil Corporation Limited, 3/122, Gujarat Refinery Township, P.O. Jawaharnagar, Dist. Vadodara-391320 (Gujarat).

SCHEDULE**District : Surendranagar****State : Gujarat**

Name of Tahsil	Name of Village	Survey No.	Area		
			Hectare	Are	Sq. Mtr.
1	2	3	4	5	6
DHRANGADHRA	KANKAVATI	86	0	15	29
		87	0	01	21
		85	0	16	71
		84	0	11	67
		89	0	00	10
		83	0	06	38
		90	0	03	45
		91	0	08	54
		82/1	0	15	02
		92	0	07	55
		OPEN LAND	0	60	43
		257	0	09	64
		256	0	00	31
		280	0	52	84
		277	0	05	06
		279	0	13	05
		278	0	00	10
		OPEN LAND	0	18	98
		526/1	0	23	78
		526/2	0	12	54
		525	0	00	10
		OPEN LAND	0	43	43
		473	0	07	98
		474	0	02	32

1	2	3	4	5	6
		523	0	00	10
		506	0	27	53
		507	0	38	15
		14	0	16	71
		509	0	13	61
		510	0	13	26
		13	0	23	41
		OPEN LAND	0	24	31
		493	0	00	10
		586	0	04	97
		587	0	45	03
		ROAD	0	05	24
		594	0	00	10
		589	0	22	30
		590	0	01	25
HALVAD	MALNIYAD	ROAD	0	00	20
		82	0	01	53
		72	0	04	47
		64	0	25	76
		41	0	24	51
		751	0	30	43
		745	0	00	10
		750	0	00	37
		748	0	01	54
		743	0	13	69
		ROAD	0	05	14
		702	0	78	27
		698	0	08	68
		672	0	05	94

1	2	3	4	5	6
		671	0	24	38
		634	0	01	07
		635	0	01	01
		636	0	01	10
		630	0	13	67
		609	0	00	53
		612	0	00	10
		611	0	33	84
		547	0	02	32
		548	0	31	75
		549	0	11	41
		550	0	01	16
		551	0	13	04
		552	0	15	46
		534	0	46	88
		ROAD	0	06	31
		535	0	04	75
		537	0	14	28
	VEGADVAV	265	0	03	18
	MAYURNAGAR	OPEN LAND	0	01	27
		464	0	17	71
		ROAD	0	01	86
		461	0	01	48
		462	0	27	14
		450	0	11	42
		449	0	00	85

[F. No. R-25011/7/2009-O.R.-I]
B. K. DATTA, Under Secy.

नई दिल्ली, 17 सितम्बर, 2009

का. आ. 2553.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में, तारीख 05 मई, 2005 को भारत के राजपत्र (असाधारण) में प्रकाशित, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का० आ० 639(अ) तारीख 25 अप्रैल, 2005 में निम्नलिखित रूप से संशोधन करती है, अर्थात् :-

उक्त अधिसूचना की अनुसूची के स्तम्भ 1 में, "ग्राम-बेलतल (पट्टामुंडई सब-पोस्ट आफिस के पास), पोस्ट आफिस-पट्टामुंडई, जिला-केन्द्रापाड़ा (उड़ीसा)", शब्दों के स्थान पर "1295, फारेस्ट पार्क, भुवनेश्वर-751009 (उड़ीसा)", शब्द रखे जाएंगे।

फा. सं. आर-25011/2/20095-ओ.आर.-1]

बी. के. दत्ता, अवर सचिव

New Delhi, the 17th September, 2009

S. O. 2553.—In pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 639(E) dated the 25th April, 2005, published in the Gazette of India (Extraordinary) on the 05th May, 2005, namely :-

In the said notification, in the Schedule, in column 1, for the words, "Village-Beltal (near Sub-Post Office-Pattamundai), Post Office-Pattamundai, District-Kendrapara (Orissa)", the words, "1295, Forest Park, Bhubaneswar-751009 (Orissa)", shall be substituted.

[F. No. R-25011/2/2005-O.R.-1]

B. K. DATTA, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 19 अगस्त, 2009

का.आ. 2554.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नारदन रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 203 से 204/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-8-2009 को प्राप्त हुआ था।

[सं. एल-41012/323 से 324/2003-आई.आर.(बी-1)]

अजय कुमार, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 19th August, 2009

S.O. 2554.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 203 to 204/2004) of the Central Government Industrial Tribunal-cum-Labour Court I, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Northern Railway and their workmen, received by the Central Government on 19-8-2009.

[No. L-41012/323 to 324/2003-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 204/2004

Shri Bachhai Ram Worker of Canteen Workshop,
Northern Railway, Jagadhari Workshop, Jagadhari.

.....Applicant

Versus

The Chief Works Manager, Jagadhari Workshop, Northern
Railway, Jagadhari.

.....Respondent

APPEARANCES

For the workman : Shri R. P. Rana

For the management : Shri N. K. Zakhmi

AWARD

Passed on : 10-8-2009

Central Government *vide* notification No. L-41012/323/2003-IR(B-I) dated 13-5-2004 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Northern Railway of denial of post of Khalasi to the claimant workman Shri Bachhai Ram is justified? If not, to what relief the workman is entitled to?”

2. Case taken up in Lok Adalat. Learned counsel for the workman Shri P. P. Rana today made a statement that the benefits under reference has already been granted to the workman by the order dated 8-8-2009 and as the relief claimed have been given to the workman on the basis of the discussion in the Lok adalat, withdraws the present reference in lok adalat. Central Government be informed. File be consigned to record.

Chandigarh

10-8-2009

G. K. SHARMA, Presiding Officer

नई दिल्ली, 19 अगस्त, 2009

का.आ. 2555.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नारदन रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 206 से 208/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-8-2009 को प्राप्त हुआ था।

[सं. एल-41012/319 से 321/2003-आई.आर.(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 19th August, 2009

S.O. 2555.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 206 to 208/2004) of the Central Government Industrial Tribunal-cum-Labour Court I, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Northern Railway and their workmen, received by the Central Government on 19-8-2009.

[No. L-41012/319 to 321/2003-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case No. I.D. 206/2004

Shri Shyam Lal Worker of Canteen Workshop,
Northern Railway, Jagadhari Workshop, Jagadhari.

.....Applicant

Versus

The Chief Works Manager, Jagadhari Workshop, Northern
Railway, Jagadhari.

.....Respondent

APPEARANCES

For the workman : Shri R. P. Rana

For the management : Shri N. K. Zakhmi

AWARD

Passed on: 10-8-2009

Central Government *vide* notification No. L-41012/321/2003-IR(B-I) dated 13-5-2004 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of Northern Railway of denial of post of Khalasi to the claimant workman Shri Shyam Lal is justified? If not, to what relief the workman is entitled to?”

2. Case taken up in Lok Adalat. Learned counsel for the workman Shri R. P. Rana today made a statement that the benefits under reference has already been granted to the workman by the order dated 8-8-2009 and as the relief claimed have been given to the workman on the basis of the discussion in the lok adalat, withdraws the present reference in lok adalat. Central Government be informed. File be consigned to record.

Chandigarh
10-8-2009

G. K. SHARMA, Presiding Officer

नई दिल्ली, 20 अगस्त, 2009

का.आ. 2556.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बिलासपुर रायपुर कसेतरिया ग्रामीण बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 78/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-8-2009 को प्राप्त हुआ था।

[सं. एल-12012/166/98-आई.आर.(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 20th August, 2009

S.O. 2556.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 78/99) of Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Bilaspur Raipur Kshetriya Gramin Bank and their workmen, received by the Central Government on 20-8-2009.

[No. L-12012/166/98-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

No. CGIT/LC/R/78/99

Presiding Officer: Shri Mohd. Shakir Hasan

Shri Mukesh Kumar Yadav,
S/o Shri Diwakar Yadav,
Vill. Khursipar, PO Sirka,
Thana Basna,
Tehsil Mahasamund,
Distt. Raipur (CG)

... Workman/Union

Versus

The Chairman,
Bilaspur Raipur Kshetriya Gramin Bank,
Head Office, Dayalband,
Bilaspur (MP) ...Management

AWARD

Passed on this 6th day of August, 2009

The Government of India, Ministry of Labour *vide* its Notification No. L-12012/166/98-IR (B-I) dated 29-1-99 has referred the following dispute for adjudication by this tribunal:—

“Whether the action of the management of Bilaspur Raipur Kshetriya Gramin Bank in terminating the services of Shri D. Yadav w.e.f. 21-6-97 is legal and justified? If not, what relief the concerned workman is entitled for?”

2. According to the workman/applicant, he worked as messenger at Basna Branch of Bilaspur-Raipur Kshetriya Gramin Bank now Chhattisgarh Gramin Bank from 28-11-94 to 21-6-97 and worked continuously without any break for more than 240 days in a calendar year. It is alleged that the payment vouchers were prepared in different names and his signatures were obtained in order to show his break in service. The alleged act of the management was nothing but was unfair labour practice. His service was discontinued w.e.f. 21-6-97 without any notice and without applying the provision of Sec. 25-F of the Industrial Dispute Act, 1947. It is submitted that the workman is entitled to reinstatement.

3. The non-applicant/management appeared and filed written statement stating therein that the workman was part time daily rated employee at the Basna Branch of the Bank. It is stated that the said workman worked for 190 days from 28-11-94 to 1-3-97 and had never worked 240 days in a calendar year. He was engaged on contract basis and the provision of Sec.-2 (oo) (bb) of the I.D. Act, 1947 was applicable in his case. The provision of Section 25-F of the I.D. Act 1947 was not applicable in his case. His appointment was not according to recruitment rules. On these grounds, the reference be answered in favour of the management.

4. The workman/applicant absented and therefore the reference proceeded *ex parte* against him from 28-6-2007.

5. The management filed petition and also submitted that the non-applicant does not want to adduce any evidence and no dispute award be passed.

6. On perusal of the record, it is clear that none of the parties want to proceed with the case and therefore it is futile to keep the proceeding pending.

7. In the result, no dispute award is passed without costs.

8. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

Mohd. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 21 अगस्त, 2009

का.आ. 2557.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं जवाहर नवोदय विद्यालय के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 1278/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-42012/136/2005-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 21st August, 2009

S.O. 2557.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.1278 / 2006) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Jawahar Navodaya Vidyalaya and their workmen, received by the Central Government on 21-8-2009.

[No. L-42012/136/2005-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, 1,
CHANDIGARH**

Case No. I.D. 1278/2006

Shri Baldev Singh, S/o Sh. Bhura Singh, C/o Trade Union Council, Patiala, Punjab

.....Applicant

Versus

The Principal, Jawahar Navodaya Vidyalaya, Longowal, Distt. Sangrur.

.....Respondent

APPEARANCES

For the Workman : Workman in person

For the Management : Shri D. R. Sharma alongwith
Smt. Harjit Kaur

AWARD

Passed on : 23-7-09

The Central Government vide notification No. L-42012/136/2005-IR (CM-II) dated 27-7-2006 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of Jawahar Navodaya Vidyalaya in terminating the services of Sh. Baldev Singh, Ex-helper w.e.f 6-9-2003 without complying with the provisions of Section 25 F, G & H of the I. D. Act is legal and justified? If not, to what relief the concerned workman is entitled to and from which date?”

2. The case taken up in Lok Adalat the workman withdraw the present reference on the settlement that as and when the vacancy arise in the mess or any vacancy is created, the case of the workman Shri Baldev Singh for his appointment will be taken on priority. In view of the above settlement, the present reference is disposed off as settled. Central Government be informed. File be consigned .

Chandigarh

23-7-2009

G. K. SHARMA, Presiding Officer

नई दिल्ली, 21 अगस्त, 2009

का.आ. 2558.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं एफ.सी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 8/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-22012/73/2003-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 21st August, 2009

S.O. 2558.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.8 /2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Food Corporation of India and their workmen, received by the Central Government on 21-8-2009.

[No. L-22012/73/2003-IR(CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM-LABOUR COURT, 1,
CHANDIGARH**

Case No. I. D. 8/2004

Shri Tara Maish, S/o Sh. Balal Maish, R/o Quarter No. 81, Shanti Nagar, Ferozepur City, Ferozepur

.....Applicant

Versus

1. The District Manager, Food Corporation of India, Bus Stand Road, Ferozepur Cantt. Ferozepur.

2. The Senior Regional Manager, Food Corporation of India, SCO 356-59, Sector-34/A, Chandigarh.

.....Respondent

APPEARANCES

For the workman : Shri B. N. Shegal

For the management : Shri Parminder Singh Advocate

AWARD

Passed on : 10-8-09

The Central Government vide notification No. L - 22012/73/2003-IR (CM-II) dated 30-1-2004 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of Food Corporation of India, Ferozepur Cant., in terminating the services of Sh. Tara Maish, ancillary labour w.e.f. 30-6-99, is legal and justified? If not, to what relief the workman is entitled to and from which date?”

2. Shri B. N. Shegal appeared for the workman and made a statement that workman does not want to pursue with the present reference and same may be returned as withdrawn. In view of the statement of the representative of the workman the present reference is return to the Central Government as withdrawn. Central Government be informed. File be consigned.

Chandigarh

10-8-2009

G. K. SHARMA, Presiding Officer

नई दिल्ली, 21 अगस्त, 2009

का.आ. 2559.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं पी.जी. आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, 1 चण्डीगढ़ के पंचाट (संदर्भ संख्या 300/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-42012/222/2003-आईआर(सीएम-II)]

अजय कुमार गौड़, डेस्क अधिकारी

New Delhi, the 21st August, 2009

S.O. 2559.—In Pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 300/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of PGI and their workmen, received by the Central Government on 21-8-2009.

[No. L-42012/222/2003-IR (CM-II)]

AJAY KUMAR GAUR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I. D. 300/2004

Shri Maya Ram, S/o Sh. Ram Sarup,
VPO Muzefat Kalan, Teshil-Chhachhrauli,
Distt. Yamuna Nagar, (Haryana).

.....Applicant

Versus

The Director, PGI, Sector-12,
Chandigarh.

.....Respondent

APPEARANCES

For the workman : Workman in person

For the management : Shri Rajesh Garg with
Shri Subhash Bhatia

AWARD

Passed on : 31-7-09

The Central Government vide notification No. L - 42012/222/2003 (IR) (CM-II) dated 4-10-2004 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of PGI, Chandigarh in removing Shri Maya Ram, Fielf Asstt. From services w.e.f. 8-6-89 is legal and justified? If not, to what relief the workman is entitled ?”

2. Case taken up in Lok Adalat. It is settled in Lok Adalat that the workman is withdrawing the present reference on the assurance of the management that they will honour the judgment of the Hon'ble Apex Court dated 4-4-91. In view of the above settlement the reference is disposed off as settled. Central Government be informed. File be consigned.

Chandigarh

31-7-2009

G. K. SHARMA, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2560.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सपाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. I, नई दिल्ली के पंचाट (संदर्भ संख्या 45/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/50/2006-आईआर(सी-I)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009.

S.O. 2560.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.45/2006) of the Central Government Industrial Tribunal-cum-Labour Court, No. I, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/50/2006-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R. K. YADAV, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT No. I, NEW
DELHI KARKARDOOMA COURT COMPLEX DELHI**

I.D. No. 45/2006

Shri Dharambir S/o Sh. Sadhuram,
Through Shri P. L. Srivastava,
C. B.-280, Ring Road, Naraina,
New Delhi - 110028.

... Workman

Versus

The General Manager,
M/s. Spice Jet Ltd.,
Pt. No. 319, Phase-IV,
Udyog Vihar, Gurgaon,
Haryana, Gurgaon.

... Management

AWARD

Shri Dharambir was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Dharambir came to an end.

2. An industrial dispute was raised by Ram Pal before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L -11012/50/2006(IR) (CM-I) dated 28-8-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

“Whether the action of the Management of Modiluft/Royal Airways/Spicejet Ltd., New Delhi in terminating the services of Shri Dharambir, S/o Sh. Sadhuram w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Shri Dharambir was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal with 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 27-5-09. Notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P. L. Srivastava, r/o CB 280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Ram Pal was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft, Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Dharambir, were dispensed with w.e.f. 1-1-2002. Since services of Shri Dharambir came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General, Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Dharambir, on 19-11-96, on account of non-renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated: 10-7-2009

DR. R. K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2561.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पेस जेट लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.1, नई दिल्ली के पंचाट (संदर्भ संख्या 63/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/51/2006-आईआर(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2561.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 63/2006) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workmen, which was received by the Central Government on 21-8-2009.

[No. L-11012/51/2006-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT No. I, NEW DELHI
KARKARDOOMA COURT COMPLEX DELHI**

I.D. No. 63/2006

Shri Pawan Kumar Gupta S/o Sh. Prem Gupta,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
C. B.-280, Ring Road, Naraina,
New Delhi - 110028.

...Workman

Versus

M/s. Spice Jet Ltd.,
Cargo Complex,
IGI Airport Terminal-I,
New Delhi -37

...Management

AWARD

Shri Pawan Kumar Gupta was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Pawan Kumar Gupta came to an end.

2. An industrial dispute was raised by Pawan Kumar Gupta before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L-11012/51/2006(IR) (CM-I) dated 28-8-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

“Whether the action of the Management of Modiluft/Royal Airways/Spice Jet Ltd., in terminating the services of Shri Pawan Kumar Gupta S/o Shri Prem Gupta w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Shri Pawan Kumar Gupta was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal with 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 21-11-06. Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-11-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January, 2008 till April, 2009 there was no presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P.L. Srivastava, r/o CB 280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Pawan Kumar Gupta s/o Shri Prem Gupta was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft, Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited

came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Pawan Kumar Gupta were dispensed with w.e.f. 1-1-2002. Since services of Shri Pawan Kumar Gupta came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name. Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Pawan Kumar Gupta on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated: 30-6-09

DR. R. K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2562.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सपाईस जेट लि. के प्रबंधन के संयुक्त नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.1, नई दिल्ली के पंचाट (संदर्भ संख्या 62/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/43/2006-आई.आर.(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2562.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref.No.62/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the annexure in the Industrial Dispute between the employers in relation to the management

of M/s. Spicejet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/43/2006-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL CUM-LABOUR COURT NO.1, NEW
DELHI KARKARDOOMA COURT COMPLEX DELHI
I.D. No. 62/2006

Shri Dhan Singh S/o Shri Gyan Singh,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
C. B.-280, Ring Road, Naraina,
New Delhi - 110028.

...Workman

Versus

The General Manager,
Spicejet Ltd.,
Pl. No. 319, Phase-IV, Udyog Vihar,
Gurgaon, Haryana.

...Management

AWARD

Shri Dhan Singh was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Dhan Singh came to an end.

2. An industrial dispute was raised by Dhan Singh S/o. Shri Gyan Singh before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L -11012/43/2006(IR) (CM-1) dated 28-8-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

“Whether the action of the Management of Modiluft/Royal Airways/Spicejet Ltd., in terminating the services of Shri Dhan Singh S/o Shri Gyan Singh w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Shri Dhan Singh was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement. On 21-11-06 Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January, 2008 till April, 2009 there was no Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P.L. Srivastava, r/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Dhan Singh S/o Shri Gyan Singh was residing at the given address. Consequently, it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft, Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spicejet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spicejet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Dhan Singh S/o Gyan Singh were dispensed with w.e.f. 1-1-2002. Since services of Shri Dhan Singh came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Dhan Singh S/o Shri Gyan Singh on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated: 30-6-09

DR. R. K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2563.-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.1, नई दिल्ली के पंचाट (संदर्भ संख्या 51/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/25/2006-आईआर(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2563.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.51/2006) of the Central Government Industrial Tribunal-cum-Labour Court, No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/25/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO.1, NEW
DELHI KARKARDOOMA COURT COMPLEX,
DELHI

I.D. No. 51/2006

Shri Phool Kumar S/o Shri Pooran Lal,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
C. B.-280, Ring Road, Naraina,
New Delhi - 110028.

...Workman

Versus

Spicejet Ltd.,
Cargo Complex,
IGI Airport Terminal-I,
New Delhi -37.

...Management

AWARD

Shri Phool Kumar S/o Pooran Lal was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Phool Kumar came to an end.

2. An industrial dispute was raised by Phool Kumar S/o. Shri Pooran Lal before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L -11012/25/2006-IR (CM-I) dated 28-8-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

“Whether the action of the Management of Modiluft/Royal Airways/Spicejet Ltd., in terminating the services of Shri Phool Kumar S/o Shri Pooran Lal w.e.f. 1-11-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Shri Phool Kumar S/o Pooran Lal was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal with 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 21-11-06. Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January, 2008 till April, 2009 there was no Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P.L. Srivastava, R/o CB 280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with

the report that no such person with the name of Shri Phool Kumar S/o Shri Pooran Lal was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft, Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spicejet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spicejet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Phool Kumar were dispensed with w.e.f. 1-1-2002. Since services of Shri Phool Kumar S/o Pooran Lal came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spicejet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Phool Kumar S/o. Shri Pooran Lal on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated: 30-6-09

DR. R. K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2564.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. सपाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 1, नई दिल्ली के पंचाट (संदर्भ संख्या 64/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/52/2006-आई.आर. (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2564.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 64/2006) of the Central Government Industrial Tribunal-cum-Labour Court, No. 1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/52/2006-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL- CUM-LABOUR COURT NO. I, NEW
DELHI KARKARDOOMA COURT COMPLEX, DELHI
I.D. No. 64/2006

Shri Devender Singh S/o Shri Chattar Singh,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
C. B.-280, Ring Road, Naraina,
New Delhi - 110028.

...Workman

Versus

Spice Jet Ltd., Cargo Complex,
IGI Airport Terminal-I,
New Delhi -37.

...Management

AWARD

Shri Devender Singh S/o Shri Chattar Singh was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Devender Singh came to an end.

2. An industrial dispute was raised by Devender Singh S/o. Shri Chattar Singh before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L -11012/52/2006-IR (CM-I) dated 28-8-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

“Whether the action of the Management of Modiluft/Royal Airways/Spicejet Ltd., in terminating the services of Shri Devender Singh S/o Shri Chattar Singh w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Shri Devender Singh was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 21-11-06. Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January, 2008 till April, 2009 there was no Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P.L. Srivastava, r/o CB 280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Devender Singh S/o Shri Chattar Singh was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet

Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Devender Singh were dispensed with w.e.f. 1-1-2002. Since services of Shri Devender Singh came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Devender Singh S/o. Shri Chattar Singh on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated: 30-6-09

DR. R. K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2565.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सपाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं-1, नई दिल्ली के पंचाट (संदर्भ संख्या 44/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-08-09 को प्राप्त हुआ था।

[सं. एल-11012/49/2006-आई आर (सी-1)]

स्नेह लता जवाह, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2565.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 44/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to

the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-09.

[No. L-11012/49/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO. 1, NEW DELHI
KARKARDOOMA COURT COMPLEX, DELHI

I.D. NO. 44/2006

Shri Mahender,
Through Shri P.L. Srivastava, C.B.-280, Ring Road,
Naraina, New Delhi—110028. ...Workman

Versus

The General Manager,
M/s Spice Jet Ltd., Pt. No. 319, Phase—IV,
Udyog Vihar, Gurgaon, Haryana, Gurgaon.

... Management.

AWARD

Shri Mahender was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issue to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Ram Pal came to an end.

2. An industrial dispute was raised by Ram Pal before the Conciliation Officer. Conciliation proceeding failed. Appropriate Government vide its Order No. L-11012/49/2006-IR(CM-1) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

"Whether the action of the management of Modiluft/Royal Airways/Spicejet Ltd. New Delhi in terminating the services of Shri Mahender, w.e.f. 15-10-02 is just fair and legal? If not, to what relief is the concerned workman entitled and from what date?

3. Shri Mahender was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 27-5-09. Notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P.L. Srivastava, R/o CB 280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Mahender was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spicejet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Mahender, were dispensed with w.e.f. 15-10-02. Since services of Shri Mahender came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General, Civil Aviation, in that situation it cannot be said that his services were dispensed with on 15-10-02. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that this services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Mahender, on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

DR. R.K. YADAV, Presiding Officer

Dated: 10-7-09

नई दिल्ली, 26 अगस्त, 2009

का.अ. 2566.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सपाईस जेट लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अग्र न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 37/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-08-09 को प्राप्त हुआ था।

[सं. एल-11012/38/2007-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2566.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 37/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-09.

[No. L-11012/38/2007-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO.1, NEW DELHI
KARKARDOOMA COURT COMPLEX, DELHI

I.D. NO. 37/2006

Shri Ashok Kumar,

Through Shri P.L. Srivastava, C.B.-280, Ring Road,
Naraina, New Delhi-110028.

...Workman

Versus

The General Manager,
M/s Spice Jet Ltd., Pt.No. 319, Phase-IV
Udyog Vihar, Gurgaon, Haryana,

... Management.

AWARD

Shri Ashok Kumar was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Ashok Kumar came to an end.

2. An industrial dispute was raised by Ashok Kumar before the Conciliation Officer. Conciliation proceeding failed. Appropriate Government vide its Order No.L-11012/38/2007-IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

"Whether the action of the management of Modiluft/Royal Airways/Spicejet Ltd. New Delhi in terminating the services of Shri Ashok Kumar w.e.f. 01-01-2002 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Ashok Kumar was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 18-2-08. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 27-5-09. Notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P.L. Srivastava, r/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Ashok Kumar was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the

proposition that services of Shri Ashok Kumar, were dispensed with w.e.f. 1-1-2002. Since services of Shri Ashok Kumar came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Ashok Kumar on 19-11-96 on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

DR. R.K. YADAV, Presiding Officer

Dated: 10-7-09

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2567.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबंध में निर्विवाद औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं-1, नई दिल्ली के पंचाट (संदर्भ संख्या 36/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-08-09 को प्राप्त हुआ था।

[सं. एल-11012/35/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2567.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 36/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-09.

[No. L-11012/35/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 1, NEW
DELHI, KARKARDOOMA COURT COMPLEX, DELHI
I.D. NO. 36/2006**

Shri Gajender Singh,
Through Shri P.L. Srivastava, C.B.-280, Ring Road,
Naraina, New Delhi—110028. ... Workman

Versus

The General Manager,
M/s Spice Jet Ltd., Pt.No. 319, Phase—IV
Udyog Vihar, Gurgaon, Haryana.

... Management

AWARD

Shri Gajender Singh was working in Modiluft Ltd., which became Scheduled Air Transport Service on 20-11-94, when air transport service was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Gajender Singh came to an end.

2. An industrial dispute was raised by Gajender Singh before the Conciliation Officer. Conciliation proceeding failed. Appropriate Government vide its Order No. L-11012/35/2006-IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

"Whether the action of the management of Modiluft/Royal Airways/Spicejet Ltd. New Delhi in terminating the services of Shri Gajender Singh w.e.f. 01-01-2002 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?

3. Shri Gajender Singh was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 18-2-08. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 27-5-09. Notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P.L. Srivastava, R/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Gajender Singh was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd.. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Gajender Singh were dispensed with w.e.f. 1-1-2002. Since services of Shri Gajender Singh came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photocopy of news item appearing in Economic Times issue dated 3-1-2001, photocopy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06; copy of news letter of Spicejet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Gajender Singh on 19-11-96 on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

DR. R.K. YADAV, Presiding Officer

Dated: 10-7-09

नई दिल्ली, 26 अगस्त, 2009

क्र.आ. 2568.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सपाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं-1, नई दिल्ली के पंचाट (संदर्भ संख्या 40/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-08-09 को प्राप्त हुआ था।

[सं. एल-11012/45/2006-आई आर (सी-1)]

स्नेह लता जवास डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2568.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 40/2006) of the Central Government Industrial Tribunal/Labour Court No. 1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-09.

[No. L-11012/45/2006-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL--CUM-LABOUR COURT NO. 1, NEW
DELHI KARKARDOOMA COURT COMPLEX, DELHI
I.D. NO. 40/2006**

Shri Satvir Chand S/o Sh. Jai Singh
Through Shri P.L. Srivastava, C.B.-280, Ring Road,
Naraina, New Delhi-110028. ... Workman

Versus

The General Manager,
M/s Spice Jet., Ltd., Pt.No. 319, Phase—IV
Udyog Vihar, Gurgaon, Haryana, Gurgaon.

... Management.

AWARD

Shri Satvir Chand was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Satvir Chand came to an end.

2. An industrial dispute was raised by Satvir Chand before the Conciliation Officer. Conciliation proceeding failed. Appropriate Government vide its Order No. L-11012/

45/2006 -IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

"Whether the action of the Management of Modiluft/Royal Airways/Spicejet Ltd. New Delhi in terminating the services of Shri Satvir Chand, S/o Sh. Jai Singh w.e.f. 01-01-2002 is just fair and legal? If not, to what relief is the concerned workman entitled and from what date?"

3. Shri Satvir Chand was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 18-2-08. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 27-5-09. Notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P.L. Srivastava, R/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Satvir Chand was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd.. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Satvir Chand were dispensed with w.e.f. 1-1-2002. Since services of Shri Satvir Chand came to an end on 19-11-96, when permit to operate

scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Satvir Chand on 19-11-96 on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

DR. R.K. YADAV, Presiding Officer

Dated: 10-7-09

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2569.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सवाईस बेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/अप न्यायालय सं-1, नई दिल्ली के पंचाट (संदर्भ संख्या 41/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-08-09 को प्राप्त हुआ था।

[सं. एल-11012/46/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2569.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 41/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-09.

[No. L-11012/46/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO. 1, NEW DELHI
KARKARDOOMA COURT COMPLEX, DELHI

I.D. NO. 41/2006

Shri Ram Pal S/o Shri Girdhari Lal,
Through Shri P.L. Srivastava, C.B.-280, Ring Road,
Naraina, New Delhi—110028. ... Workman

Versus

The General Manager,
M/s Spice Jet, Ltd., Pt.No. 319, Phase—IV
Udyog Vihar, Gurgaon, Haryana, Gurgaon.

... Management.

AWARD

Shri Ram Pal S/o Shri Girdhari Lal was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Ram Pal came to an end.

2. An industrial dispute was raised by Ram Pal before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L-11012/46/2006-IR(CM-1) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

"Whether the action of the management of Modiluft/Royal Airways/Spicejet Ltd., New Delhi in terminating the services of Shri Ram Pal, S/o Sh.Girdhari Lal w.e.f. 01-01-2002 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Ram Pal was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 18-2-08. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 27-5-09. Notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P.L. Srivastava, r/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Ram Pal was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Ram Pal were dispensed with w.e.f. 1-1-2002. Since services of Shri Ram Pal came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spicejet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Ram Pal on 19-11-96 on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

DR. R.K. YADAV, Presiding Officer

Dated: 10-7-09

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2570.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं-1, नई दिल्ली के पंचाट (संदर्भ संख्या 46/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-08-09 को प्राप्त हुआ था।

[सं. एल-11012/56/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2570.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 46/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spicejet Ltd. and their workman, which was received by the Central Government on 21-8-09.

[No. L-11012/56/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR, COURT, NO. 1, NEW DELHI,
KARKARDOOMA COURT COMPLEX, DELHI

I.D. NO. 46/2006

Shri Bhagwan Swarup,
Through Shri P.L. Srivastava,
C.B.-280, Ring Road, Naraina,
New Delhi-110028.

...Workman

Versus

The General Manager,
M/s. Spice Jet Ltd., Pt. No. 319, Phase—IV
Udyog Vihar, Gurgaon, Haryana, Gurgaon.

... Management.

AWARD

Shri Bhagwan Swarup was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Bhagwan Swarup came to an end.

2. An industrial dispute was raised by Bhagwan Swarup before the Conciliation Officer. Conciliation proceeding failed. Appropriate Government vide its Order No. L-11012/56/2006-IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

"Whether the action of the management of Modiluft/Royal Airways/Spice Jet Ltd., New Delhi in terminating the services of Shri Bhagwan Swarup, w.e.f. 01-01-2002 is just, fair and legal? If not, to what relief is the concerned workman entitled and from what date?"

3. Shri Bhagwan Swarup was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-2006. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 27-5-09. Notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P.L. Srivastava, R/o CB-280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Bhagwan Swarup was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spicejet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spicejet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that

under these circumstances, there is no substance in the proposition that services of Shri Bhagwan Swarup were dispensed with w.e.f. 1-1-2002. Since services of Shri Bhagwan Swarup came to an end on 19-11-96, when permit to operate scheduled Air Transport Service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spicejet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Bhagwan Swarup on 19-11-96 on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

DR. R.K. YADAV, Presiding Officer

Dated: 10-7-09

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2571.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबंध में निर्यातकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं-1, नई दिल्ली के पंचाट (संदर्भ संख्या 47/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-09 को प्राप्त हुआ था।

[सं. एल-11012/57/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2571.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 47/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-09.

[No. L-11012/57/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO. I, NEW DELHI,
KARKARDOOMA COURT COMPLEX, DELHI**

I. D. No. 47/2006

Shri Dharam Singh S/o Sh. Daya Nand,
Through Shri P.L. Srivastava, C.B.-280, Ring Road,
Naraina, New Delhi-110028. ... Workman

Versus

The General Manager,
M/s Spicejet Ltd., Pt. No. 319, Phase-IV
Udyog Vihar, Gurgaon, Haryana. ... Management

AWARD

Shri Dharam Singh was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when Air Transport Service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate Scheduled Air Transport Service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Dharam Singh came to an end.

2. An industrial dispute was raised by Shri Dharam Singh before the Conciliation Officer. Conciliation proceeding failed. Appropriate Government vide its Order No.L-11012/57/2006-IR(CM-I) dated 28-8-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference :

"Whether the action of the management of Modiluft/Royal Airways/Spice Jet Ltd. New Delhi in terminating the services of Shri Dharam Singh, w.e.f. 1-1-2002 is justified and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Dharam Singh was instructed by the appropriate Government to file a claim statement, with relevant documents before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the

appropriate Government, notice was sent to him for filing claim statement on 27-5-2009. Notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P.L. Srivastava, R/o CB-280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Dharam Singh was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference, pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft. Ltd.. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Dharam Singh, were dispensed with w.e.f. 1-1-2002. Since services of Shri Dharam Singh, came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photocopy of news item appearing in Economic Times issue dated 3-1-2001 photocopy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name. Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without

application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Dharam Singh on 19-11-96 on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

DR. R. K. YADAV, Presiding Officer

Dated: 10-7-09

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2572.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबंध निर्यातकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं-1, नई दिल्ली के पंचाट (संदर्भ संख्या 35/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-08-09 को प्राप्त हुआ था।

[सं. एल-11012/34/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2572.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 35/2006) of the Central Government Industrial Tribunal/Labour Court No. I, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-09.

[No. L-11012/34/2006-IR(C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. I, NEW
DELHI KARKARDOOMA COURT COMPLEX, DELHI**

I. D. No. 35/2006

Shri Anand Kumar,
Through Shri P.L. Srivastava, C.B.-280, Ring Road,
Naraina, New Delhi—110028. ... Workman

Versus

The General Manager,
M/s. Spice Jet Ltd., Pt. No. 319, Phase—IV
Udyog Vihar, Gurgaon, Haryana,
Gurgaon ... Management

AWARD

Shri Anand Kumar was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning

with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Anand Kumar came to an end.

2. An industrial dispute was raised by Anand Kumar before the Conciliation Officer. Conciliation proceeding failed. Appropriate Government vide its Order No. L-11012/34/2006-IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

"Whether the action of the management of Modiluft/Royal Airways/Spice Jet Ltd., New Delhi in terminating the services of Shri Anand Kumar w.e.f. 01-01-2002 is just fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Anand Kumar was instructed by the appropriate Government to file a claim statement, with relevant documents before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 18-2-08. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 27-5-09. Notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently, a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P.L. Srivastava, R/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Anand Kumar was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference, pleading that when airline operations came to an end on 19-11-1996, workman ceased to be in the employment of Modiluft Ltd.. Airline business was not done by the management till 23-5-05, the date when airline

operations commenced again. It has been claimed that since the company was inoperative between 1996 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-02. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Anand Kumar, were dispensed with w.e.f. 1-1-2002. Since services of Shri Anand Kumar came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General, Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001 photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name. Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Anand Kumar on 19-11-96 on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

DR. R.K. YADAV, Presiding Officer

Dated: 10-7-09

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2573.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. सपाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं-1, नई दिल्ली के पंचाट (संदर्भ संख्या 38/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-09 को प्राप्त हुआ था।

[सं. एल-11012/39/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2573.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.38/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spicejet Ltd. and their workman, which was received by the Central Government on 21-8-09.

[No. L-11012/39/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO.1, NEW DELHI
KARKARDOOMA COURT COMPLEX, DELHI

I. D. NO. 38/2006

Shri Vijay Singh,
Through Shri P.L. Srivastava, C.B.-280, Ring Road,
Naraina, New Delhi-110028. ...Workman

Versus

The General Manager,
M/s. Spicejet, Ltd., Pt.No.319, Phase—IV
Udyog Vihar, Gurgaon, Haryana,
Gurgaon. ... Management

AWARD

Shri Vijay Singh was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issue to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Vijay Singh came to an end.

2. An industrial dispute was raised by Vijay Singh before the Conciliation Officer. Conciliation proceeding failed. Appropriate Government vide its Order No. L-11012/39/2006-IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

"Whether the action of the management of Modiluft/Royal Airways/Spice Jet Ltd. New Delhi in dismissing the services of Shri Vijay Singh w.e.f. 1-1-2002 is justified and legal? If not, to what relief is the concerned workman entitled and from what date?"

3. Shri Vijay Singh was instructed by the appropriate Government to file a claim statement, with relevant documents before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 23-3-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 27-5-09. Notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P.L. Srivastava, r/o CB 280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Vijay Singh was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference, pleading that when airline operations came to an end on 19-11-1996, workman ceased to be in the employment of Modiluft. Ltd.. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Vijay Singh were dispensed with w.e.f. 1-1-2002. Since services of Shri Vijay Singh came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001 photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name. Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shri Vijay Singh on 19-11-96 on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

DR. R.K. YADAV, Presiding Officer

Dated : 10-7-09

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2574.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 1324/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-8-2009 को प्राप्त हुआ था।

[सं. एल-12012/123/2006-आई आर (बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2574.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1324/2007) of the Central Government Industrial Tribunal/Labour Court No.1, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on 25-8-2009.

[No. L-12012/123/2006-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I
CHANDIGARH**

Case I.D. No. 1324/2007

Smt. Pinki, w/o Late Shri Roshan Lal, R/o H.No. 2420,
Balmiki Basti (Majri), Ambala City ... Applicant

V/s.

The Regional Manager, Punjab National Bank, Durga
Nagar, Hissar Road, Ambala City. Respondent

APPEARANCES

For the Workman : None.

For the management : Shri Negi

AWARD

Passed on : 11-08-09

Central Government vide notification No. L-12012/123/2006-IR (B-II) Dated 6-7-07, has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Punjab National Bank, Ambala City in terminating the services of Smt. Pinki Devi W/o Late Shri Ramesh Lal, Ex-Part time Sweeper on compassionate ground w.e.f. 1-1-2006 without complying with the provisions of Sections 25-F,G & H of the I.D.Act, 1947, is just and legal? If not, to what relief the concerned workman is entitled to and from which date?”

2. None is present on behalf of the workman. Learned representative of the management is present. Workman is not ensuring her presence despite notice. No claim statement has been filed. The reference was referred by the Central Government in the year 2007. Several opportunities have been given to the workman but she is not availing the opportunity of being heard. At this stage, I have no option otherwise then to return the reference for non-prosecution to the Central Government as such. Accordingly, the reference is returned as such. Let the Central Government be informed. File be consigned.

Chandigarh.

11-08-09

G. K. SHARMA, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2575.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ौदा के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 16/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-8-2009 को प्राप्त हुआ था।

[सं. एल-12012/208/2003-आई आर (बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2575.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.16/2004) of the Central Government Industrial Tribunal/Labour Court No. 1, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 25-8-2009.

[No. L-12012/208/2003-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case I.D. No. 16/2004

Smt. Swaran Singh S/o Shri Sohan Lal, R/o House No. 98, B/6, New Suraj Gang (West), Jalandhar City-Punjab.
—Applicant

Versus

The Branch Manager, Bank of Baroda, Nehru Garden Road, Jalandhar (Punjab)
—Respondent

APPEARANCES

For the Workman : None.

For the management : Shri B.B. Bagga

AWARD

Passed on : 12-08-09

Central Government vide notification No. L-12012/208/2003 IR- (B-II) Dated 30-01-04, has referred the following dispute to this Tribunal for adjudication:

“Whether Shri Swaran Singh S/o Shri Sohan Lal is workman of Bank of Baroda? If so whether termination of his services from 05-02-03 without any retrenchment compensation is legal and justified? If not, what relief is he entitled to and from which date?”

2. None is present for the workman. Learned counsel for the management is present. The case is already five years old. Despite notice the workman has not put up his appearance for his evidence. It appears that workman is not interested to peruse with the present claim in reference. Hence, the present claim in the reference is returned to the Central Government as such for want of non-prosecution. Central Government be informed. File be consigned.

Chandigarh.

12-08-09

G. K. SHARMA, Presiding

Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2576.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब एंड सिंध बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 1338/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-8-2009 को प्राप्त हुआ था।

[सं. एल-12012/52/2007-आई आर (बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2576.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1338/2007) of the Central Government Industrial Tribunal/Labour Court No. 1, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab and Sind Bank and their workman, which was received by the Central Government on 25-8-2009.

[No. L-12012/52/2007-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 1338/2007

Shri Tek Chand S/o Shri Kali Dass, C/o Punjab Technical University Ladowali Road, Jalandhar (Punjab).

—Applicant

V/s.

The Zonal Manager, Punjab & Sind Bank, Zonal Office, Model Town, Jalandhar (Punjab). —Respondent

APPEARANCES

For the Workman : None.

For the management : None

AWARD

Passed on : 11-08-09

Central Government vide notification No. L-12012/52/2007-IR (B-II) dated 26-10-07 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of Punjab & Sind Bank, Jalandhar in terminating the services of Shri Tek Chand w.e.f. 16-06-2005 without following the provisions of Sections 25 F, 25 G of the I.D. Act 1947, is legal and justified? If not, what relief the workman is entitled to and to what extent?”

2. None is present for both of the parties. Workman is not ensuring his presence despite notice. It appears that workman is not interested to peruse with the present claim in reference. Hence, the present claim in the reference is returned to the Central Government as such for want of non-prosecution. Central Government be informed. File be consigned.

Chandigarh.

11-08-09

G. K. SHARMA, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2577.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब एंड सिंध बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, चंडीगढ़ के पंचाट (संदर्भ संख्या 1345/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-8-2009 को प्राप्त हुआ था।

[सं. एल-12011/102/2007-आई आर (बी-II)]

राजेन्द्र कुमार, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2577.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 1345/2008) of the Central Government Industrial Tribunal/Labour Court No. 1, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Punjab and Sind Bank and their workman, which was received by the Central Government on 25-8-2009.

[No. L-12011/102/2007-IR(B-II)]

RAJINDER KUMAR, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 1345/2008

The President, All India Punjab and Sind Bank Staff Federation, CP-1572, Gali Mastgarh, Minak Mandi, Amritsar (Punjab).

—Applicant

V/s.

The Zonal Manager, Punjab & Sind Bank, Zonal Office-1, Sector-17-B, Chandigarh. —Respondent

APPEARANCES

For the Workman : None.

For the management : Shri I.P. Singh

AWARD

Passed on : 4-08-09

Central Government vide notification No. L-12011/102/2007-IR (B-II), dated 20-12-07 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of Punjab & Sind Bank in issuing ‘dismissal without notice’ order to Shri Jagir Singh Special Assistant is legal and justified. If not, what relief the workman is entitled to and to what extent?”

2. Learned representative of the management today appeared and filed a order of the Hon'ble Punjab & Haryana

High Court dated 4-12-08 passed in CWP No. 11539/08. Vide this order, Hon'ble High Court of Punjab & Haryana has been kind enough to quash the reference. In these circumstances, there is no occasion for this Tribunal to proceed further. Accordingly, the reference is returned as such to the Central Government. Central Government be informed. File be consigned.

Chandigarh
4-08-09

G. K. SHARMA, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2578.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 69/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/33/2006-आईआर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2578.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.69/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spicejet Ltd., and their workman, received by the Central Government on 21-8-2009.

[No. L-11012/33/2006-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO. I, NEW DELHI
KARKARDOOMA COURT COMPLEX, DELHI**

I.D. No. 69/2006

Shri Ram Avtar S/o Shri Shyam Lal,
Through Shri P.L. Srivastava,
CB-280, Ring Road, Naraina,
New Delhi-110028.

...Workman

Versus

The General Manager,
M/s. Spice Jet Ltd., Pt. No. 319, Phase-IV,
Udyog Vihar, Gurgaon, Haryana, ...Management

AWARD

Shri Ram Avtar S/o Shri Shyam Lal was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by the Director General of Civil Aviation. It

was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. And M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Ram Avtar came to an end.

2. An industrial dispute was raised by workman before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L-11012/33/2006-IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with the following terms of reference :

"Whether the action of the management of Modiluft/Royal Airways/Spicejet Ltd., in terminating the services of Sh. Ram Avtar S/o Shri Shyam Lal w.e.f. 1-11-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Ram Avtar filed a claim statement pleading therein that he worked as Loader with the management till 1-11-2002. According to him he joined services of Modiluft in 1993. He was transferred to M/s. Royal Airways and lastly to M/s. Spice Jet Limited. On 1-11-02, he was sent out of the job without any notice or payment of retrenchment compensation. Notice demand was sent to the management, which was not responded to. He claims his reinstatement in services with continuity and full back wages.

4. The management demurred the claim of the workman pleading therein that when air line operations of Modiluft Limited came to an end on 19-11-96, Ram Avtar abandoned the services. His services came to an end on that very day. Airline business was not done by the management till 23-5-05, the date when airlines operations, commenced again. It has been claimed that since the company was inoperative between 1996 to May, 05 there was no question of employing/terminating services of the workman on 1-11-02. Airline operations commenced again with the, name of Spice Jet on 23-5-05, after issue of new permit by the DG, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-05, consequent to the change in the name of the management. Under these circumstances, there is no substance in the claim filed by Shri Ram Avtar. His services came to an end on 19-11-96, when permit to operate scheduled air transport services was not renewed by the DG, Civil Aviation.

5. Workman abandoned the proceedings. Notice was sent to the workman by registered post, calling upon him to prosecute his claim. Postal article was received back with the report that the addressee has left the given address for good. Notice was sent to him through P.L. Srivastav, CB 280 Ring Road, Naraina, New Delhi, the address provided by the appropriate Government in terms of reference. Since the workman was not available at the said address nor Sh. Srivastava responded to the notice issued

by the Tribunal, under these circumstances the Tribunal could not lay its hand over the workman to call him to prosecute his claim.

6. To substantiate its stand, management had relied on copy of permit dated 20-11-99, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, copy of permit to operate scheduled transport service (Passenger) dated 9-5-06 and copy of fresh certificate of incorporation issues, consequent upon change of name. Out of the facts pleaded by the management and the documents referred above, it came to light that airline operations of Modiluft Limited came to an end on 19-11-96 when permit to operate scheduled air transport service was not renewed by the DG, Civil Aviation. Airline operations were recommenced by the company with the name of Spice jet Limited on 25-5-05, after issue of new permit on 17-5-05. Spice jet came into existence on 23-5-05 consequent to the change in the name of the management. All these facts make it clear that in January, 2002 airline operations were not in vogue. Under these circumstances it is apparent that there was no opportunity for Ram Avtar to work as Loader with the management. Consequently it is evident that Ram Avtar has not been able to show that he was in service of the management till 1-1-02. Airline operations commenced again only in May, 2005. All these facts are suggestive that the appropriate government made the reference in the mechanical manner. Ram Avtar was not in service of the management in January, 2002. Under these circumstances, there is no question of adjudication of the fact that services of Ram Avtar were terminated on 1-1-02 and there was no justifiability, fairness and legality in that action. The issue is accordingly answered against the workman to the effect that his services came to an end on 19-11-96. He is not entitled to any relief from the management. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated 14-7-09. Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

क्र.अ. 2579.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार स्पार्स जेट लि. के प्रबंधन के संघर्ष नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 48/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/58/2006-आईआर(सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2579.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 48/

2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd., and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/58/2006-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT No. 1, NEW
DELHI, KARKARDOOMA COURT COMPLEX, DELHI
I.D. No.48/2006

Shri Dharam Pal S/o. Shri Daya Ram, Through
Shri P.L. Srivastava, CB-280, Ring Road, Naraina,
New Delhi-110028. ... Workman

Versus

The General Manager,
M/s. Spice jet Ltd., Pt. No. 319,
Phase-IV, Udyog Vihar, Gurgaon,
Haryana ... Management

AWARD

Shri Dharam Pal was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by the Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. And M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Dharam Pal came to an end.

2. An industrial dispute was raised by workman before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L-11012/58/2006-IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with the following terms of reference:

"Whether the action of the management of Modiluft/Royal Airways/Spicejet Ltd., in terminating the services of Sh.Dharam Pal, S/o Shri Daya Ram w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Dharam Pal filed a claim statement pleading therein that he worked as Loader with the management till 1-1-2002. According to him he joined services of Modiluft in 1993. He was transferred to M/s Royal Airways and lastly to M/s Spice Jet Limited. On 1-1-02, he was sent out

of the job without any notice or payment of retrenchment compensation. Notice of demand was sent to the management, which was not responded to. He claims his reinstatement in services with continuity and full back wages.

4. The management demurred the claim of the workman pleading therein that when air line operations of Modiluft Limited came to an end on 19-11-96, Dharam Pal abandoned the services. His services came to an end on that very day. Airline business was not done by the management till 23-5-05, the date when airlines operations, commenced again. It has been claimed that since the company was inoperative between 1996 to May, 05 there was no question of employing/terminating services of the workman on 1-11-02. Airline operations commenced again with the name of Spice Jet on 23-5-05, after issue of new permit by the DG, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-05, consequent to the change in the name of the management. Under these circumstances, there is no substance in the claim filed by Shri Dharam Pal. His services came to an end on 19-11-96, when permit to operate scheduled air transport services was not renewed by the DG, Civil Aviation.

5. Workman abandoned the proceedings. Notice was sent to the workman by registered post, calling upon him to prosecute his claim. Postal article was received back with the report that the addressee has left the given address for good. Notice was sent to him through P.L. Srivastava, CB 280 Ring Road, Naraina, New Delhi, the address provided by the appropriate Government in terms of reference. Since the workman was not available at the said address nor Sh. Srivastava responded to the notice issued by the Tribunal, under these circumstances the Tribunal could not lay its hand over the workman to call him to prosecute his claim.

6. To substantiate its stand, management had relied on copy of permit dated 20-11-99, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, copy of permit to operate scheduled transport service (Passenger) dated 9-5-06 and copy of fresh certificate of incorporation issues, consequent upon change of name. Out of the facts pleaded by the management and the documents referred above, it came to light that airline operations of Modiluft Limited came to an end on 19-11-96 when permit to operate scheduled air transport service was not renewed by the DG, Civil Aviation. Airline operations were re-commenced by the company with the name of Spice Jet Ltd. on 25-5-05, after issue of new permit on 17-5-05. Spice Jet came into existence on 23-5-05 consequent to the change in the name of the management. All these facts make it clear that in January, 2002 airline operations were not in vogue. Under these circumstances it is apparent that there was no opportunity for Dharam Pal to work as Loader with the management. Consequently it is evident that Dharam Pal has not been able to show that he was in service of the

management till 1-1-02. Airline operations commenced again only in May, 2005. All these facts are suggestive that the appropriate government made the reference in the mechanical manner. Dharam Pal was not in service of the management in January, 2002. Under these circumstances, there is no question of adjudication of the fact that services of Dharam Pal were terminated on 1-1-02 and there was no justifiability, fairness and legality in that action. The issue is accordingly answered against the workman to the effect that his services came to an end on 19-11-96. He is not entitled to any relief from the management. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated 14-7-09.

Dr. R.K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2580.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, श्रम न्यायालय नं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 54/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/29/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2580.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 54/2006) of the Central Government Industrial Tribunal/Labour Court No. I, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spicejet Ltd., and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/29/2006-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT NO. I, NEW DELHI,
KARKARDOOMA COURT COMPLEX, DELHI

I.D. No. 54/2006

Shri Anil Kumar S/o Shri Mahender Singh,
Through Shri P.L. Srivastava,
CB-280, Ring Road, Naraina,
New Delhi-110028.

Workman

Versus

The General Manager,
M/s. Spice Jet Ltd., Pt. No. 319, Phase-IV,
Udyog Vihar, Gurgaon, Haryana, Management

AWARD

Shri Anil Kumar was working in Modiluft Ltd., which became scheduled Air Transport Service on 20.11.94, when air transport service permit was issued to it by the Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. And M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Anil Kumar came to an end.

2. An industrial dispute was raised by workman before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L-11012/29/2006-IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with the following terms of reference :

“Whether the action of the management of Modiluft/Royal Airways/Spice Jet Ltd., in terminating the services of Sh. Anil Kumar S/o Shri Mahender Singh w.e.f. 1-11-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date ?”

3. Shri Anil Kumar filed a claim statement pleading therein that he worked as Loader with the management till 1-11-2002. According to him he joined services of Modiluft in 1993. He was transferred to M/s. Royal Airways and lastly to M/s. Spicejet Limited. On 1-11-02, he was sent out of the job without any notice or payment of retrenchment compensation Notice of demand was sent to the management, which was not responded to. He claims his reinstatement in services with continuity and full back wages.

4. The management demurred the claim of the workman pleading therein that when air line operations of Modiluft Limited came to an end on 19-11-96, Anil Kumar abandoned the services. His services came to an end on that very day. Airline business was not done by the management till 23-5-05, the date when airlines operations, commenced again. It has been claimed that since the company was inoperative between 1996 to May, 05 there was no question of employing/terminating services of the workman on 1-11-02. Airline operations commenced again with the, name of Spice Jet on 23-5-05, after issue of new permit by the DG, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-05, consequent to the change in the name of the management. Under these circumstances, there is no substance in the claim filed by Shri Anil Kumar. His services came to an end on 19-11-96, when permit to operate scheduled air transport services was not renewed by the DG, Civil Aviation.

5. Workman abandoned the proceedings. Notice was sent to the workman by registered post, calling upon him to prosecute his claim. Postal article was received back with

the report that the addressee has left the given address for good. Notice was sent to him through P.L. Srivastava, CB 280 Ring Road, Naraina, New Delhi, the address provided by the appropriate Government in terms of reference Since the workman was not available at the said address nor Sh. Srivastava responded to the notice issued by the Tribunal, under these circumstances the Tribunal could not lay its hand over the workman to call him to prosecute his claim.

6. To substantiate its stand, management had relied on copy of permit dated 20-11-99, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, copy of permit to operate scheduled transport service (Passenger) dated 9-5-06 and copy of fresh certificate of incorporation issues, consequent upon change of name. Out of the facts pleaded by the management and the documents referred above, it came to light that airline operations of Modiluft Limited came to an end on 19-11-96 when permit to operate scheduled air transport service was not renewed by the DG, Civil Aviation. Airline operations were recommenced by the company with the name of Spicejet Limited on 25-5-05, after issue of new permit on 17-5-05. Spicejet came into existence on 23-5-05 consequent to the change in the name of the management. All these facts make it clear that in January, 2002 airline operations were not in vogue. Under these circumstances it is apparent that there was no opportunity for Anil Kumar to work as Loader with the management. Consequently it is evident that Anil Kumar has not been able to show that he was in service of the management till 1-1-02. Airline operations commenced again only in May, 2005. All these facts are suggestive that the appropriate government made the reference in the mechanical manner. Anil Kumar was not in service of the management in January, 2002. Under these circumstances, there is no question of adjudication of the fact that services of Anil Kumar were terminated on 1-11-02 and there was no justifiability, fairness and legality in that action. The issue is accordingly answered against the workman to the effect that his services came to an end on 19-11-96. He is not entitled to any relief from the management. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated 14-7-09. Dr. R.K. YADAV, Presiding Officer.

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2581.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सपाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 42/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/47/2006-आई आर (सी-1)]

स्नेह लता जवांस, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2581.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 42/2006) of the Central Government Industrial Tribunal/Labour Court No. 1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spicejet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/47/2006-IR (C-I)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. I,
NEW DELHI, KARKARDOOMA COURT
COMPLEX, DELHI**

I.D. No. 42/2006

K. Raj Kumar S/o. Shri Kaveri, Through Shri P.L. Srivastava,
CB-280, Ring Road, Naraina, New Delhi-110028.

... Workman

Versus

The General Manager, M/s Spice Jet Ltd., Pt. No. 319,
Phase-IV, Udyog Vihar, Gurgaon Haryana ...Management

AWARD

Shri K. Raj Kumar was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by the Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. And M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri K. Raj Kumar came to an end.

2. An industrial dispute was raised by Shri K. Raj Kumar before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L-11012/47/2006-IR(CM-1) dated 28.08.2006 has referred the dispute to this Tribunal for adjudication with the following terms of reference:

“Whether the action of the management of Modiluft/ Royal Airways/Spice Jet Ltd., in terminating the services of Sh. K. Raj Kumar w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Workman filed claim statement pleading therein that he worked as Loader with the management till 1.1.2002. According to him he joined services of Modiluft in 1993.

He was transferred to M/s. Royal Airways and lastly to M/s. Spice Jet Limited. On 1-1-02, he was sent out of the job without any notice or payment of retrenchment compensation Notice of demand was sent management, which was not responded to. He claims his reinstatement in services with continuity and full back wages.

4. The management demurred the claim of the workman pleading therein that when airline operations of Modiluft Limited came to an end on 19-11-96, K.Raj Kumar abandoned the services. His services came to an end on that very day. Airline business was not done by the management till 23-5-05, the date when airlines operations, commenced again. It has been claimed that since the company was inoperative between 1996 to May, 2005 there was no question of employing /terminating services of the workman on 1-1-02. Airline operations commenced again with the, name of Spice Jet on 23-5-05, after issue of new permit by the DG, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-05, consequent to the change in the name of the management. Under these circumstances, there is no substance in the claim filed by Shri K. Raj Kumar. His services came to an end on 19-11-96, when permit to operate scheduled air transport services was not renewed by the DG, Civil Aviation.

5. Workman abandoned the proceedings. Notice was sent to the workman by registered post, calling upon him to prosecute his claim. Postal article was received back with the report that the addressee has left the given address for good. Notice was sent to him through P.L. Srivastava, CB 280 Ring Road, Naraina, New Delhi, the address provided by the appropriate Government in terms of reference Since the workman was not available at the said address nor Sh. Srivastava responded to the notice issued by the Tribunal, under these circumstances the Tribunal could not lay its hand over the workman to call him to prosecute his claim.

6. Affidavit of Shri Sanjay Sharma was filed on behalf of the management. He gave confirmation to fact pleaded by the management in its written statement. To substantiate the stand of the management, Shri Sanjay Sharma proved copy of permit dated 20-11-99, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, copy of permit to operate scheduled transport service (Passenger) dated 9.5.06 and copy of fresh certificate of incorporation issued, consequent upon change of name. Out of the facts sworn by Shri Sharma and the documents referred above, it came to light that airline operations of Modiluft Limited came to an end on 19-11-96 when permit to operate scheduled air transport service was not renewed by the DG, Civil Aviation. Airline operations were recommenced by the company with the name of Spice Jet Ltd. on 23-5-05, after issue of new permit on 17-5-05. Spice Jet came into existence on 23-5-05 consequent to the change in the name of the management. All these facts make it clear that in January, 2002 airline operations were

not in vogue. Under these circumstances it is apparent that there was no opportunity for K. Raj Kumar to work as Loader with the management. Consequently it is evident that K. Raj Kumar has not been able to show that he was in service of the management till 1-1-02. Airline operations commenced again only in May, 2005. All these facts are suggestive that the appropriate government made the reference in the mechanical manner. K. Raj Kumar was not in service of the management in January, 2002. Under these circumstances, there is no question of adjudication of the fact that services of K. Raj Kumar were terminated on 1-1-02 and there was no justifiability, fairness and legality in that action. The issue is accordingly answered against the workman to the effect that his services came to an end on 19-11-96. He is not entitled to any relief from the management. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated 14-7-09. Dr. R.K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

क्र.आ. 2582.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पईस जेट लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 58/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/34/2006-आई अर (सी-1)]

स्नेह लता जावास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2582.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No 58/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd., and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/34/2006-IR (C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 1
NEW DELHI, KARKARDOOMA COURT COMPLEX,
DELHI

I.D. No. 58/2006

Shri Vinod Kumar, Through Shri P. L. Srivastava,
CB-280, Ring Road, Naraina, New Delhi-110028.

... Workman

Versus

The General Manager, M/s Spice Jet Ltd., P. No. 319,
Phase-IV, Udyog Vihar, Gurgaon, Haryana.

... Management

AWARD

Shri Vinod Kumar was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by the Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. And M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Vinod Kumar came to an end.

2. An industrial dispute was raised by Shri Vinod Kumar before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No. L-11012/34/2006-IR(CM-1) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with the following terms of reference :

"Whether the action of the management of Modiluft/Royal Airways/Spice Jet Ltd., in terminating the services of Sh. Vinod Kumar w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Workman filed claim statement pleading therein that he worked with the management till 1-1-2002. According to him he joined services of Modiluft in 1993. He was transferred to M/s. Royal Airways and lastly to M/s. Spice Jet Limited. On 1-1-02, he was sent out of the job without any notice or payment of retrenchment compensation. Notice of demand was sent to the management, which was not responded to by the management. He claims his reinstatement in services with continuity and full back wages.

4. The management demurred the claim of the workman pleading therein that when air line operations of Modiluft Limited came to an end on 19-11-96, Vinod Kumar abandoned the services. His services came to an end on that very day. Airline business was not done by the management till 23-5-05, the date when airlines operations, commenced again. It has been claimed that since the company was inoperative between 1996 to May, 2005 there was no question of employing/terminating services of the workman on 1-1-02. Airline operations commenced again with the name of Spice Jet on 23-5-05, after issue of new permit by the DG, Staff on 17-5-05. Spice Jet Limited came

into existence w.e.f. 23-5-05, consequent to the change in the name of the management. Under these circumstances, there is no substance in the claim filed by Shri Vinod Kumar. His services came to an end on 19-11-96, when permit to operate scheduled air transport services was not renewed by the DG, Civil Aviation.

5. Workman abandoned the proceedings. Notice was sent to the workman by registered post, calling upon him to prosecute his claim. Postal article was received back with the report that the addressee has left the given address for good. Notice was sent to him through P.L. Srivastava, CB 280 Ring Road, Naraina, New Delhi, the address provided by the appropriate Government in terms of reference. Since the workman was not available at the said address nor Sh. Srivastava responded to the notice issued by the Tribunal, under these circumstances the Tribunal could not lay its hand over the workman to call him to prosecute his claim.

6. Affidavit of Shri Sanjay Sharma was filed on behalf of the management. He gave confirmation to fact pleaded by the management in its written statement. To substantiate the stand of the management, Shri Sanjay Sharma proved copy of permit dated 20-11-99, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, copy of permit to operate scheduled transport service (Passenger) dated 9-5-06 and copy of fresh certificate of incorporation issued, consequent upon change of name. Out of the facts sworn by Shri Sharma and the documents referred above, it came to light that airline operations of Modiluft Limited came to an end on 19-11-96 when permit to operate scheduled air transport service was not renewed by the DG, Civil Aviation. Airline operations were re-commenced by the company with the name of Spice Jet Ltd. on 25-5-05, after issue of new permit on 17-5-05. Spice Jet came into existence on 23-5-05 consequent to the change in the name of the management. All these facts make it clear that in January, 2002 airline operations were not in vogue. Under these circumstances it is apparent that there was no opportunity for Vinod Kumar to work as Helper with the management. Consequently it is evident that Vinod Kumar has not been able to show that he was in service of the management till 1-1-02. Airline operations commenced again only in May, 2005. All these facts are suggestive that the appropriate Government made the reference in the mechanical manner. Vinod Kumar was not in service of the management in January, 2002. Under these circumstances, there is no question of adjudication of the fact that services of Vinod Kumar were terminated on 1-1-02 and there was no justifiability, fairness and legality in that action. The issue is accordingly answered against the workman to the effect that his services came to an end on 19-11-96. He is not entitled to any relief from the management. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated 13-7-09. Dr. R.K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2583.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 39/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/44/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2583.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.39/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spicejet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/44/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
-CUM-LABOUR COURT-NO.-1 NEW DELHI,
KARKARDOOMA COURT COMPLEX, DELHI

I.D. No. 39/2006

Shri Sunil Kumar S/o Sh Roop Ram, Through Shri P. L. Srivastava, CB-280, Ring Road, Naraina, New Delhi-28
... Workman

V/s.

The General Manager, M/s. Spicejet Ltd. Pl. 319, Phase-IV, Udyog Vihar, Gurgaon, Haryana. ...Management

AWARD

Shri Sunil Kumar was working in Modiluft Limited which became Scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical knowhow, being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport services after 19-11-96. Till 23-5-05 air line operations of Modiluft Limited were not in existence. On account of cesasure of airline operations, services of Shri Sunil Kumar came to an end.

2. An industrial dispute was raised by Shri Sunil Kumar before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No. L-11012/44/2006-(IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference :

“Whether the action of the Management of Modiluft/Royal Airways/Spicejet Ltd., New Delhi in terminating the services of Shri Sunil Kumar S/o Roop Ram Mudgal w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Workman filed claim statement, pleading therein that he worked with the management till 1-1-2002. According to him he joined services of Modiluft in 1993. He was transferred to M/s. Royal Airways and lastly to M/s. Spice Jet Limited. On 1-1-02, he was sent out of the job without any notice or payment of retrenchment compensation. Notice of the demand was sent to the management, which was not responded to by the management. He claims his reinstatement in the services with continuity and full back wages

4. The management demurred the claim of the workman pleading therein that when air line operations of Modiluft Limited came to an end on 19-11-96, Sunil Kumar abandoned the services. His services came to an end on that very day. Airline business was not done by the management till 23-5-05, the date when airlines operations commenced again. It has been claimed that since the company was inoperative between 1996 to May, 05 there was no question of employing/terminating services of the workman on 1-1-02. Airline operations commenced again with the name of Spice Jet on 23-5-05, after issue of new permit by the DG Staff on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-05, consequent to the change in the name of the management. Under these circumstances, there is no substance in the claim filed by Shri Sunil Kumar. His services came to an end on 19-11-96, when permit to operate scheduled air transport services was not renewed by the DG Civil Aviation

5. Workman abandoned the proceedings. Notice was sent to the workman by registered post calling upon him to prosecute his claim. Postal article was received back with the report that the addressee has left the given address for good. Notice was sent to him through P.L. Srivastava, CB 280, Ring Road, Naraina, New Delhi, the address provided by the appropriate Government in terms of reference. Since the workman was not available at the said address nor Sh. Srivastava responded to the notice issued by the Tribunal, under these circumstances the Tribunal could not lay its hand over the workman to call him to prosecute his claim.

6. Affidavit of Shri Sanjay Sharma was filed on behalf of the management. He gave confirmation to facts pleaded

by the management in its written statement. To substantiate the stand of the management, Shri Sanjay Sharma proved copy of permit dated 20-11-99, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, copy of permit to operate scheduled transport service (passenger) dated 9-5-06 and copy of fresh certificate of incorporation issued, consequent upon change of name. Out of the facts sworn by Shri Sharma and the documents referred above, it came to light that airline operations of Modiluft Limited came to an end on 19-11-96 when permit to operate scheduled air transport service was not renewed by the DG Civil Aviation. Airline operations were re-commenced by the company with the name of Spice Jet Limited on 23-5-05, after issue of new permit on 17-5-05. Spice Jet came into existence on 23-5-05 consequent to the change in the name of the management. All these facts make it clear that in January, 2002 airline operations were not in vogue. Under these circumstances it is apparent that there was no opportunity for Sunil Kumar to work as Security Guard with the management. Consequently it is evident that Sunil Kumar has not been able to show that he was in service of the management till 1-1-2002. Airline operations commenced against only in May, 2005. All these facts are suggestive that the appropriate Government made the reference in the mechanical manner. Sunil Kumar was not in service of the management in January, 2002. Under these circumstances there is no question of adjudication of the fact that services of Sunil Kumar were terminated on 1-1-02 and there was no justifiability, fairness and legality in that action. The issue is accordingly answered against the workman to the effect that his services came to an end on 19-11-96. He is not entitled to any relief from the management. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated 13-7-2009

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2584.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 60/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/41/2006-आई आर (सी-1)]

स्नेह लता जवांस, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2584.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.60/2006) of the Central Government Industrial Tribunal/Labour Court

No. 1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spicejet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No.L-11012/41/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT No.-I, NEW DELHI,
KARAKDOOMA COURT COMPLEX, DELHI**

I.D. No. 60/2006

Shri Rajesh Kumar S/o Shri Zile Singh,
C/o Piyare Lal Srivastava, Bhartiya
Mazdoor Union (Regd.), CB-280,
Ring Road, Naraina,
New Dehli-28

—Workman

V/s.

The General Manager,
M/s Spicejet Ltd. Pl. No. 319,
Phase-IV, Udyog Vihar,
Gurgaon, Haryana.

—Management

AWARD

Shri Rajesh Kumar was working in Modiluft Limited which became Scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical knowhow, being provided by M/s. Lufthansa. In the year 1996, agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport services after 19-11-96. Till 23-5-05 air line operations of Modiluft Limited were not in existence. On account of ceasure of airline operations, services of Shri Rajesh Kumar came to an end.

2. An industrial dispute was raised by Shri Suresh Kumar before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L-11012/41/2006-IR(CM-1) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference :

“Whether the action of the Management of Modiluft/ Royal Airways/Spicejet Ltd., in terminating the services of Shri Rajesh Kumar S/o Shri Zile Singh w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Shri Rajesh Kumar was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The

workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 21-11-06 Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January, 2008 till April, 2009, there was Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P.L. Srivastava, R/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Rajesh Kumar S/o Zile Singh was residing at the given address. Consequently, it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19.11.96, workman ceased to be in the employment of Modiluft. Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under the circumstances, there is no substance in the proposition that services of Shri Rajesh Kumar were dispensed with 1-1-2002. Since services of Shri Rakesh came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spicejet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Rakesh S/o Shri Babu Lal on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dr. R. K. YADAV, Presiding Officer

Dated : 30-6-09

नई दिल्ली, 26 अगस्त, 2009

क्र.आ. 2585.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार सपाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 61/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/42/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2585.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.61/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spicejet Ltd. and their workman, received by the Central Government on 21-8-2009.

[No.L-11012/42/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO-1
NEW DELHI, KARKARDOOMA COURT COMPLEX,
DELHI**

L.D. No. 61/2006

Shri Rakesh Kumar S/o Sh Babu Lal,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
CB-280 Ring Road, Naraina,
New Dehli-28

—Workman

V/s.

The General Manager,
M/s Spicejet Ltd. Pl. No. 319,
Phase-IV, Udyog Vihar,
Gurgaon, Haryana.

—Management

AWARD

Shri Rakesh Kumar was working in Modiluft Limited which became Scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how, being provided by M/s. Lufthansa. In the year 1996, agreement between Modiluft Ltd. and M/s Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport services after 19-11-96. Till 23-5-05 air line operations of Modiluft Limited were not in existence. On account of ceasure of airline operations, services of Shri Rakesh came to an end.

2. An industrial dispute was raised by Rakesh S/o Babu Lal before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No. L-11012/42/2006-IR(CM-1) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference :

“Whether the action of the Management of Modiluft/Royal Airways/Spicejet Ltd., in terminating the services of Shri Rakesh S/o Shri Babulal w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Shri Rakesh was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in prusuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 21-11-06 Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January, 2008 till April, 2009, there was no Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P.L. Srivastava, R/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Rakesh S/o Shri

Babu Lal was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Rakesh were dispensed with w.e.f. 1-1-2002. Since services of Shri Rakesh came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General, Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Rakesh s/o Shri Babu Lal on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dr. R. K. YADAV, Presiding Officer

Dated: 30-6-09

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2586.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. स्पाईस जेट

लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 65/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/53/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2586.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.65/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/53/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-I, NEW DELHI,
KARAKDOOMA COURT COMPLEX, DELHI

I.D. No. 65/2006

Shri Kann Kutti S/o Sh Damodharan,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
CB-280 Ring Road, Naraina,
New Dehli-110028

—Workman

V/s.

Spicejet Ltd.,
Cargo Complex
IGI Airport Terminal-I,
New Delhi-37

—Management

AWARD

Shri Kann Kutti S/o Shri Damodharan was working in Modiluft Limited which became Scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know how, being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport services after 19-11-96. Till 23-5-05 air line operations of Modiluft Limited were not in existence. On account of ceasure of airline operations, services of Shri Kann Kutti came to an end.

2. An industrial dispute was raised by Kann Kutti before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L-11012/53/2006-IR(CM-I) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

"Whether the action of the Management of Modiluft/Royal Airways/Spicejet Ltd., in terminating the services of Shri Kann Kutti S/o Damodharan w.e.f. 2-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Kann Kutti was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 21-11-06. Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January 2008 till April, 2009, there was Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P.L. Srivastava, r/o CB 280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Kann Kutti S/o Sh. Damodharan was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft. Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that

under the circumstances, there is no substance in the proposition that services of Shri Kann Kutti were dispensed with 1-1-2002. Since services of Shri Kann Kutti came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General, Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Kann Kutti on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dr. R. K. YADAV, Presiding Officer

Dated: 30-6-09.

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2587.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. स्पाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 50/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/24/2006-आईआर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2587.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.50/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/24/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-I
NEW DELHI
KARKARDOOMA COURT COMPLEX
DELHI**

I.D. No: 50/2006

Shri Dharambir S/o Sh. Subhash Chand,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
CB-280 Ring Road, Naraina,
New Dehli-28

—Workman

V/s.

The General Manager,
M/s Spicejet Ltd.
Pl. No. 319, Phase-IV, Udyog Vihar,
Gurgaon, Haryana.

—Management

AWARD

Shri Dharambir was working in Modiluft Limited which became Scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know how, being provided by M/s Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport services after 19-11-96. Till 23-5-05 air line operations of Modiluft Limited were not in existence. On account of ceasure of airline operations, services of Shri Dharambir came to an end.

2. An industrial dispute was raised by Dharambir before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No. L-11012/24/2006-IR(CM-1) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

“Whether the action of the Management of Modiluft/Royal Airways/Spicejet Ltd., in terminating the services of Shri Dharambir S/o Subhash Chand w.e.f. 1-1-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Shri Dharambir was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in prusance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 21-11-06 Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07 Thereafter several opportunities were given, but claim statement was not filed. From 28th January 2008 till April, 2009, there was no Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P.L. Srivastava, R/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was receieved back with the report that no such person with the name of Shri Dharambir S/o Shri Subhash Chand was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was inoperative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under the circumstances, there is no substance in the proposition that services of Shri Dharambir were dispensed with 1-1-2002. Since services of Shri Dharambir came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air

Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Dharambir on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dr. R.K. YADAV, Presiding Officer

Dated: 30-6-09

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2588.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पईस जेट लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या-53/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/28/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2588.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.53/2006) of the Central Government Industrial Tribunal/Labour Court No. 1, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/28/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R.K. YADAV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-I,
NEW DELHI
KARKARDOOMA COURT COMPLEX
DELHI**

I.D. No. 53/2006

Shri Kishan Lal S/o Sh Shanker Lal,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
CB-280, Ring Road, Naraina,
New Delhi-28

—Workman

V/s.

Spicejet Ltd.,
Cargo Complex, IGI Airport Terminal-I,
New Delhi-37

—Management

AWARD

Shri Kishan Lal was working in Modiluft Limited which became Scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how, being provided by M/s Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport services after 19-11-96. Till 23-5-05 air line operations of Modiluft Limited were not in existence. On account of cesasure of airline operations, services of Shri Kishan Lal came to an end.

2. An industrial dispute was raised by Kishan Lal before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No.L-11012/28/2006-IR(CM-1) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

"Whether the action of the Management of Modiluft/Royal Airways/Spicejet Ltd., in terminating the services of Shri Kishan Lal S/o Shanker Lal w.e.f. 1-11-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Kishan Lal was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement on 21-11-06. Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January 2008 till April, 2009, there was no Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P.L. Srivastava, r/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Kishan Lal S/o Shri Shanker Lal was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under the circumstances, there is no substance in the proposition that services of Shri Kishan Kumar were dispensed with 1-1-2002. Since services of Shri Kishan Kumar came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Kishan Kumar on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dr. R.K. YADAV, Presiding Officer

Dated: 30-6-09

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2589.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सपाईस जेट लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 56/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/31/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2589.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 56/2006) of the Central Government Industrial Tribunal/Labour Court No. 1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workmen, which was received by the Central Government on 21-8-2009.

[No. L-11012/31/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-I,
NEW DELHI
KARKARDOOMA COURT COMPLEX,
DELHI

I.D. No. 56/2006

Shri Anil Kumar S/o Sh Ram Singh,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
CB-280, Ring Road, Naraina,
New Delhi-28

—Workman

Versus

Spice Jet Ltd.,
Cargo Complex,
IGI Airport Terminal-I,
New Delhi-37,

—Management

AWARD

Shri Anil Kumar was working in Modiluft Limited which became Scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know how, being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport services after 19-11-96. Till 23-5-05 air line operations of Modiluft Limited were not in existence. On account of ceasure of airline operations, services of Shri Anil Kumar came to an end.

2. An industrial dispute was raised by Anil Kumar before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No. L-11012/31/2006-IR(CM-1) dated 28-08-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference:

“Whether the action of the Management of Modiluft/Royal Airways/Spice Jet Ltd., New Delhi in terminating the services of Shri Anil Kumar S/o Ram

Singh w.e.f. 1-11-02 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Anil Kumar was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement. On 21-11-06 Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January 2008 till April, 2009, there was Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P. L. Srivastava, r/o CB-280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Anil Kumar S/o Shri Ram Singh was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airline operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft. Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 1996 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under the circumstances, there is no substance in the proposition that services of Shri Anil Kumar were dispensed with 1-1-2002. Since services of Shri Anil Kumar came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General, Civil Aviation, in that situation it cannot be said that his services were dispensed with on

1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name. Documents referred above, lend support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Anil Kumar on 19-11-96, on account of non renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dr. R.K. YADAV, Presiding Officer

Dated: 30-6-2009

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2590.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूची में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबद्ध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 67/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/60/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2590.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 67/2006) of the Central Government Industrial Tribunal/Labour Court No. 1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of M/s. Spice Jet Ltd. and their workmen, which was received by the Central Government on 21-8-2009.

[No. L-11012/60/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT, INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. I
NEW DELHI, KARKARDOOMA COURT COMPLEX
DELHI**

I.D. No. 67/2006

Shri Ram Bhajan S/o Shri Bipti,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
CB-280, Ring Road, Naraina,
New Delhi-110028.

... Workman

Versus

The General Manager,
Spice Jet Ltd.,
Pl.No. 319, Phase-IV, Udyog Vihar,
Gurgaon, Haryana.

... Management.

AWARD

Shri Ram Bhajan was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Ram Bhajan came to an end.

2. An industrial dispute was raised by Ram Bhajan before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No. L-11012/60/2006-IR(CM-I) dated 28-8-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference :

“Whether the action of the management of Modiluft/Royal Airways/Spice Jet Ltd., in terminating the services of Sh. Ram Bhajan S/o Shri Bipti w.e.f. 1-1-2002 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?”

3. Shri Ram Bhajan was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement. On 21-11-06 Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January, 2008 till April, 2009, there was no Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P. L. Srivastava, R/o CB 280, Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Ram Bhajan S/o Shri Bipti was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airlines operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Ram Bhajan were dispensed with w.e.f. 1-1-2002. Since services of Shri Ram Bhajan came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Ram Bhajan on 19-11-96, on account of non-renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated: 30-6-2009

Dr. R.K. Yadav, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2591.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 59/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/37/2006-आई आर (सी-1)]

स्नेह लता जावास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O. 2591.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 59/2006) of the Central Government Industrial Tribunal/Labour Court No. 1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/37/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE SHRI R. K. YADAV PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. 1,
NEW DELHI KARKARDOOMA COURT COMPLEX
DELHI

I. D. No. 59/2006

Shri Birmesh,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
CB-280, Ring Road, Naraina,
New Delhi-110028.

... Workman

Versus

The General Manager,
Spice Jet Ltd.,
Pl.No. 319, Phase-IV, Udyog Vihar,
Gurgaon, Haryana.

... Management.

AWARD

Shri Birmesh was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Birmesh came to an end.

2. An industrial dispute was raised by Birmesh before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No. L-11012/37/2006-IR(CM-I) dated 28-8-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference :

"Whether the action of the management of Modiluft/Royal Airways/Spicejet Ltd., in terminating the services of Sh. Birmesh w.e.f. 1-1-2002 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Birmesh was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement. On 21-11-06 Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January, 2008 till April, 2009, there was no Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P. L. Srivastava, r/o CB 280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with

the report that no such person with the name of Shri Birmesh was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airlines operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft. Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Birmesh were dispensed with w.e.f. 1-1-2002. Since services of Shri Birmesh came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his service came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Birmesh on 19-11-96, on account of non-renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated:30-6-2009

Dr. R.K. Yadav, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.आ. 2592.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सपाईस जेट लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-1, नई दिल्ली के पंचाट (संदर्भ संख्या 57/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/32/2006-आई आर (सी-1)]

स्नेह लता जवास, डेस्क अधिकारी

New Delhi, the 26th August, 2009

S.O.2592.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref.No.57/2006) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No.L-11012/32/2006-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

BEFORE SHRI R. K. YADAV PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT No. I NEW
DELHI KARKARDOOMA COURT COMPLEX
DELHI

I. D. No. 57/2006

Shri Pardeep Kumar S/o Shri Hari Singh,
C/o Piyare Lal Srivastava,
Bhartiya Mazdoor Union (Regd.),
CB-280, Ring Road, Naraina,
New Delhi-110028.

... Workman

Versus

Spice jet Ltd.,
Cargo Complex
IGI Airport Terminal-I,
New Delhi-37.

... Management.

AWARD

Shri Pardeep Kumar was working in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in

existence. On account of ceasure of airline operations, services of Shri Pardeep Kumar came to an end.

2. An industrial dispute was raised by Pardeep Kumar before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government vide its Order No. L-11012/37/2006-IR(CM-I) dated 28-8-2006 has referred the dispute to this Tribunal for adjudication with following terms of reference :

"Whether the action of the management of Modiluft/Royal Airways/Spice Jet Ltd., in terminating the services of Sh. Pardeep Kumar w.e.f. 1-11-2002 is just, fair and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Pardeep Kumar was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 28-8-06. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government, notice was sent to him for filing claim statement. On 21-11-06 Shri Ravinder Singh appeared on behalf of the workman and sought time to file claim statement. Matter was adjourned to 25-1-07. Thereafter several opportunities were given, but claim statement was not filed. From 28th January, 2008 till April, 2009, there was no Presiding Officer in the Tribunal.

5. A registered notice was sent for 30-6-09 to file claim statement. It was to be served on the workman through Shri P. L. Srivastava, R/o CB-280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Pardeep Kumar S/o Shri Hari Singh was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airlines operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new

permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Pardeep Kumar were dispensed with w.e.f. 1-1-2002. Since services of Shri Pardeep Kumar came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lends support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Services was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Pardeep Kumar on 19-11-96, on account of non-renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated: 30-6-2009

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 26 अगस्त, 2009

का.अ. 2593.—औद्योगिक विवाद अधिनियम, 1947 (1947 का. 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्पाईस जेट लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ग्राम न्यायालय सं. 11, नई दिल्ली के पेशाब (संदर्भ संख्या 5/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-8-2009 को प्राप्त हुआ था।

[सं. एल-11012/30/2007-आई आर (सी-1)]

स्नेह लता अग्रवाल, हेल्थ अधिकारी

New Delhi, the 26th August, 2009

S.O. 2593.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 5/2009) of the Central Government Industrial Tribunal/Labour Court No.1, New Delhi now as shown in the Annexure in the

Industrial Dispute between the employers in relation to the management of M/s. Spice Jet Ltd. and their workman, which was received by the Central Government on 21-8-2009.

[No. L-11012/30/2007-IR(C-1)]

SNEH LATA JAWAS, Desk Officer

ANNEXURE

**BEFORE SHRI R. K. YADAV, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT NO. I, NEW
DELHI KARKARDOOMA COURT COMPLEX
DELHI**

I.D. No. 5/2009

Shri Shiv Kumar Mishra, S/o Shri Jagat Singh Mishra,
Through Shri P. L. Srivastava,
CB-280, Ring Road, Naraina,
New Delhi-110028.

...Workman

Versus

The General Manager,
M/s Spice Jet Ltd.,
Pt. No. 319, Phase-IV, Udyog Vihar,
Gurgaon, Haryana.

...Management

AWARD

Shri Shiv Kumar Mishra was working as Security Officer in Modiluft Ltd., which became scheduled Air Transport Service on 20-11-94, when air transport service permit was issued to it by Director General of Civil Aviation. It was functioning with the support of technical know-how being provided by M/s. Lufthansa. In the year 1996 agreement between Modiluft Ltd. and M/s. Lufthansa was terminated and Director General of Civil Aviation did not renew its permit to operate scheduled air transport service after 19-11-96. Till 23-5-05 airline operations of Modiluft Ltd. were not in existence. On account of ceasure of airline operations, services of Shri Shiv Kumar Mishra came to an end.

2. An industrial dispute was raised by Shiv Kumar Mishra before the Conciliation Officer. Conciliation proceedings failed. Appropriate Government *vide* its Order No. L-11012/30/2007-IR(CM-I) dated 18-2-2008 has referred the dispute to this Tribunal for adjudication with following terms of reference :

"Whether the action of the management of Modiluft/ Royal Airways/Spice Jet Ltd., New Delhi in dismissing the services of Sh. Shiv Kumar Mishra, Security Officer, w.e.f. 1-1-2002 is justified and legal? If not, to what relief is the concerned workman entitled and from which date?"

3. Shri Shiv Kumar Mishra was instructed by the appropriate Government to file a claim statement, with relevant documents, before this Tribunal within 15 days from the receipt of reference order. The aforesaid reference was made by the appropriate Government on 18-2-08. The workman opted not to file a claim statement before this Tribunal, in pursuance of the directions given by the appropriate Government.

4. When claim statement was not filed by the workman, in pursuance of directions issued by the appropriate Government. Notice was sent to him for filing claim statement. On 27-5-09 notice sent to the workman was received back with the report that the house in question was lying locked for last so many days. Consequently a fresh notice was issued to be served on the workman, to file his claim statement by 23-6-09.

5. Notice was sent to the workman by registered post. It was to be served on the workman through Shri P. L. Srivastava, r/o CB 280 Ring Road, Naraina, New Delhi, which address was provided by the appropriate Government in the order of reference. On this very address notice was sent. It was received back with the report that no such person with the name of Shri Shiv Kumar Mishra s/o Shri Jagat Singh Mishra was residing at the given address. Consequently it became evident that the workman has left the given address for good. He opted not to inform this Tribunal about change of his residential address. Under these circumstances claim statement could not reach this Tribunal, from the workman.

6. The management filed its reply to the term of reference pleading that when airlines operations came to an end on 19-11-96, workman ceased to be in the employment of Modiluft. Ltd. Airline business was not done by the management till 23-5-05, the date when airline operations commenced again. It has been claimed that since the company was in operative between 96 to May, 2005, there was no question of employing/terminating the services of the workman in the year 2001-2002. Airline operations were relaunched by the company with the name of the Spice Jet Limited on 23-5-05, after issue of new permit by the Director General, Civil Aviation on 17-5-05. Spice Jet Limited came into existence w.e.f. 23-5-2005, consequent to the change in the name of the management. It has been projected that under these circumstances, there is no substance in the proposition that services of Shri Shiv Kumar Mishra, Security Officer were dispensed with w.e.f. 1-1-2002. Since services of Shri Shiv Kumar Mishra came to an end on 19-11-96, when permit to operate scheduled air transport service was not renewed by the Director General Civil Aviation, in that situation it cannot be said that his services were dispensed with on 1-1-2002. To substantiate their stand, the management filed copy of permit dated 20-11-94, its

renewal dated 17-11-95, copy of resolution dated 28-2-2001, photo copy of news item appearing in Economic Times issue dated 3-1-2001, photo copy of permit to operate Scheduled Air Transport Services (Passenger) dated 9-5-06, copy of news letter of Spice Jet and copy of fresh certificate of incorporation, consequent upon change of name, Documents referred above, lands support to the facts pleaded by the management.

7. As the workman opted not to file claim statement and management projected that his services came to an end on 19-11-96 when permit to operate Scheduled Air Transport Service was not renewed by the Director General, Civil Aviation, it came to light that the reference made by the appropriate Government was mechanical, without application of any mind. Justifiability lies in the action of the management in dispensing with the services of Shiv Kumar Mishra, Security Officer, on 19-11-96, on account of non-renewal of permit to operate Scheduled Air Transport Services. Under these circumstances the workman is not entitled to any relief. The reference is answered accordingly. It be sent to the appropriate Government for publication.

Dated : 23-6-2009

Dr. R. K. YADAV, Presiding Officer

नई दिल्ली, 27 अगस्त, 2009

का.आ. 2594.—औद्योगिक विवाद अधिनियम, 1947. (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कम्पाण्डेन्ट, 226 सीओवाई एससी (एसयूपी) के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-11, नई दिल्ली के पंचाट (संदर्भ संख्या 13/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-8-2009 को प्राप्त हुआ था।

[सं. एल-14012/1/2008-आई आर (डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 27th August, 2009

S.O. 2594.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.13/2008) of the Central Government Industrial Tribunal-cum-Labour Court No.11, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Commandant, 226 COY ASC (SUP) and their workman, which was received by the Central Government on 27-8-2009.

[No. L-14012/1/2008-IR(DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE SHRI SATNAM SINGH: PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 11, ROOM NO. 33, KARKARDOOMA COURT COMPLEX, GROUND FLOOR, DELHI.

I.D. No. 13/2008

Dated : 11-8-2009

In the matter of dispute between :

Smt. Vidya Devi
House No. RZ-20/111,
Gali No. 1, Main Sagarpur,
New Delhi-110046.

..... Workman

Versus

The Commandant
226, COY ASC (SUP)
Type-G, Delhi Cantt.
Delhi-110010.

..... Management

AWARD

The Central Government Ministry of Labour vide order No. L-14012/1/2008-IR (DU) dated 8-4-2008 has referred the following Industrial Dispute to this Tribunal for adjudication :—

“Whether the action of the management of the Commandant 226, COY ASC (SUP) Type ‘G’ Delhi Cantt., in terminating the services of their workman Smt. Vidya Devi w.e.f. April, 2006 is legal and justified/ If not, to what relief the workman is entitled to?”

2. Ever since the reference date 8-4-2008 has been received in this Tribunal the workman has never attended the Court and has not even filed his statement of claim till today. Notices have been received by the Court un-served repeatedly. It appears that the workman is not interested in the outcome of this reference. Under these circumstances there is no option but to pass a no dispute award in this case, which is passed accordingly. File be consigned to the record room.

Dated : 11-8-2009

SATNAM SINGH, Presiding Officer

नई दिल्ली, 27 अगस्त, 2009

का.आ. 2595.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन कार्डीमॉर्म रिसर्च इंस्टिट्यूट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कोचीन के पंचाट (संदर्भ संख्या 28/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-8-2009 को प्राप्त हुआ था।

[सं. एल-42012/18/2007-आई आर (डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 27th August, 2009

S.O. 2595.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 28/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Cochin as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Cardamom Research Institute and their workmen, which was received by the Central Government on 27-8-2009.

[No. L-42012/18/2007-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present: Shri P. L. Norbert, B.A., LL.B., Presiding Officer
(Monday the 10th day of August, 2009/19th Sravana, 1931)

I. D. 28/2007

Workman :

1. Shri R. Rajamani,
S/o. Shri Ramaswamy,
C/o. Indian Cardamom Research Institute,
Myladumpaara, Kailasanadu P. O.,
Pin - 685 553, Idukki

2. Shri M. Manikandan,
S/o. Shri Madurai Veeran,
C/o. Indian Cardamom Research Institute,
Myladumpaara, Kailasanadu P. O.,
Pin - 685 553, Idukki

By Adv. Rajesh Nair & Bijoy Chandran.

Management :

The Director.
C/o. Indian Cardamom Research Institute,
Myladumpaara, Kailasanadu P. O.,
Pin - 685 553, Idukki

By Adv. Joseph Kodianthara.

AWARD

This is a reference made under Section 10 (1) (d) of Industrial Disputes Act. The reference is:

“Whether the action of the management of Indian Cardamom Research Institute in terminating the services of their workmen Shri. Rajamani and Shri Manikandan, w.e.f. 17-4-1997 is legal and justified? If not, to what relief the workmen are entitled to?”

2. The facts of the case in brief are as following:—

Two workmen by name Rajamani and Manikandan were employees of Indian Cardamom Research Institute, Idukki working in plantations. They were charge sheeted for misconduct of manhandling the security personnel of the management and causing damage to the farm office building on the evening of 30-3-1996. A domestic enquiry

was conducted in which they were found guilty of all the charges. The Disciplinary Authority dismissed them from service.

3. The workers questioned the validity and propriety of the enquiry proceedings and that aspect was considered as a preliminary issue holding that the enquiry was properly conducted and is valid.

4. According to the workers they were working in the plantations since 1996. While so, they had joined trade union (CITU), which was not liked by the management. The management was looking for an opportunity to flush them out. The disciplinary action is nothing but an act of victimisation. The allegations are vague and ambiguous. The officer who ordered enquiry and imposed punishment is incompetent to do so. The findings of the Enquiry Officer are perverse and not supported by evidence. The punishment is arbitrary, highly excessive and disproportionate. The workmen have a clean past record. This was not taken into consideration by the disciplinary authority.

5. According to the management they have not taken any revenge on any worker for having joined any union. The findings of the Enquiry Officer are based on evidence. The two workmen had actively participated in causing damage to the company property and manhandling the security staff. One of them is an accused in several police cases and disciplinary action was taken against him in the past by the management. The punishment imposed is in accordance with the Standing Orders of the management institute. It is in proportion to the charges. There is no reason to interfere either with the findings or the punishment.

6. In the light of the above contentions the following points arise for consideration:—

1. Are the findings sustainable ?

2. Is the punishment proper ?

7. The evidence consists of the oral testimony of MW1 and Ext.M1 Enquiry File.

8. **Point No. 1:—** The charges are that on 30-3-1996 in the evening two workmen entered the premises of the farm office building of the management, manhandled the security staff, broke 11 window panes and damaged grills of gate. Sri. Rajamani alone is seen to have submitted explanation to the memo of charges. He has merely denied the charges saying that he has not done anything as alleged. Nine witnesses were examined on the side of the management and two witnesses on the side of the defence. MW1 is the Farm Manager. But he is not an eye witness to the incident. He has only hearsay knowledge. MW2, 5 and 9 are eye witnesses. MW2 is a planter near to the management institute (ICRI). While he was in a tea shop nearby he heard a hue and cry from ICRI farm office

building. He went near to the office and found a large crowd. He saw Manikandan smashing window panes with a stick. Since the delinquent was known to him he tried to dissuade him from acts of vandalism. MW5 is Superintendent of Cardamom Estate of Sri. Mani. The estate is nearby the management institute. He says that he had witnessed the incident. He saw Rajamani smashing window panes with stone and Manikandan breaking the window panes with a stick. MW9 is an employee of the management since 1984. He is residing nearby the farm office. He saw Manikandan breaking the window panes with a stick and Rajamani and another person causing damage to the window. Nothing was brought out in their cross-examination to discredit their testimony. Though there is some discrepancy in the evidence of MW1 and other witnesses regarding electric supply at the time of the incident, they affirm that they witnessed the incident as they were close to the place of occurrence and the assailants were known to them. Therefore the contention of the learned counsel for the workers that since there was no electric supply and a mob had gathered there it was impossible to identify the assailants, cannot stand. Though MW3, 4, 6 and 7 have also supported the case of the management the Enquiry Officer did not rely on their testimony since they were security staff and some of them were involved in a preceding incident in which an outsider had sustained stab injury and died. MW8 is a broker and he says that he has not seen the delinquents doing anything.

9. A few hours prior to this incident a quarrel had ensued in the same place. Some ladies from the family of employees of the management residing near to the farm had been to farm office compound to fetch drinking water. The security staff then locked the main gate and opened a side gate. This was questioned by the ladies and their family members who gathered at the gate. A wordy quarrel and scuffle ensued. It ended in assault and stabbing. An outsider sustained serious stab injury at the hands of security staff and he was hospitalised and died. After a few hours some people including the delinquents barged into the farm office compound, attacked the security staff, damaged the window panes and the gate grills. Though on the defence side two witnesses were examined, DW2 says that he had not seen the incident. DW1 has altogether a different story to tell that it was MW2 and 5 who had destroyed the window panes. This is nobody's case. DW1 is an accused in the murder case in which an outsider had sustained stab injuries and died. Hence the enquiry officer did not rely on his testimony. Thus the evidence of MW2, 5 and 9 stands uncontroverted. Based on this evidence the Enquiry Officer came to the conclusion that the workmen are guilty of the charges.

10. The contention of the workmen that the disciplinary action is an act of victimisation for having taken membership in union is not substantiated. Though

it has come out in evidence in the enquiry that there was no electric supply in the farm office building at the time of the incident the witnesses who support the case of the management, were familiar with the workmen and they had watched the incident from very near to the place of occurrence and being a village area people are accustomed to poor light during night and hence identification of assailants would not have been difficult for them. The fact that in the criminal case in respect of the same incident the workmen who were accused were acquitted, does not mean that no departmental action will lie. It is well settled that unless the criminal proceedings and the departmental proceedings involve identical set of facts and evidence, acquittal in a criminal case cannot be a ground for discharge in a departmental action (G. M. Tank v. State of Gujarat 2006 SCC (L&S) 1121). So far as the present case is concerned the evidence is not same in both cases. Though two of the witnesses in the domestic enquiry (MW5 and 6) were examined in the criminal case (PW6 & 9) other witnesses in the domestic enquiry were not examined in the criminal case. So also some of the witnesses in the criminal case were not examined in the domestic enquiry. No defence evidence was adduced in the sessions case. Whereas in the domestic enquiry defence evidence was adduced. Thus the evidence in both cases are not identical. Therefore on that ground the delinquents cannot be let off in the disciplinary action.

11. For the reasons stated above I hold that the findings of Enquiry Officer are in order and do not call for any interference.

12. Point No.2:— The punishment imposed is dismissal from service w.e.f. 17-4-1997. According to the workmen the punishment is shockingly disproportionate and excessive. Sri. Rajamani had submitted a representation regarding the proposed punishment. The mitigating circumstances stated by him is that his sole source of income is the employment in the management institute. In the claim statement no mitigating circumstances are pointed out except that their past service is without blemish. In the written statement in paragraph 10 the management has contended that there are several police cases against Sri. Rajamani for disturbing peace in ICRI Labour campus. There were several complaints from labourers that Sri. Rajamani was making life in labour quarters difficult. Action was taken against Rajamani for pilferage of fodder and firewood from the farm. On 29-4-2003 he had brutally injured a permanent worker of the institute by name Sri. Andavar with a sickle while he was proceeding to the farm and a police case was registered in Santhanpara police station. Though the workmen filed a reply statement this aspect is not denied. In the absence of any plea regarding mitigating circumstances and in view of the fact that the past record at least of Sri. Rajamani is not clean

unlike contended in the claim statement and in view of the fact of indiscipline and highhandedness I don't think any leniency in the matter of punishment is warranted. At any rate the punishment cannot be said to be shockingly disproportionate. In *M. P. Electricity Board v. Jagdish Chandra Sarma* (2005) 3 SCC 401 an employee hit his superior officer with a tension screw in the presence of other employees and caused bleeding injury of the nose. It was held to be an act of indiscipline which warranted the punishment of dismissal and it was not a disproportionate punishment. In *Federal Bank Ltd v. T. Sreekantan and others* W. P.(C) 24901 and 35711/2007 it is held that unless the punishment imposed is shockingly disproportionate no interference is called for. However the learned counsel for the workmen relying on the decision in *Mavji C. Lakum v. Central Bank of India* (2009) 1 SCC (L&S) 245, submitted that punishment can be interfered with even when findings are upheld. The learned counsel also relied on *Ved Prakash Gupta v. Delton Cable India (P) Ltd.* (1984) 2 SCC 569 regarding interference with punishment. It was held that a charge of abusing a co-worker in filthy language by itself will not invite extreme penalty of dismissal on a not-so-serious charge of misconduct. There was no previous adverse remarks against the delinquent. The punishment was found to be disproportionate and set aside and reinstatement was ordered by the Hon'ble Supreme Court. In *Palghat BPL and PSP Thozhilali Union v. BPL India Ltd.* 1995 STPL (LE) 20303 SC the workers were agitating over certain demands and the management was not conceding. While so, when the officers of BPL were on their way the workers intercepted and assaulted them. The management initiated disciplinary action and the workers were dismissed from service. The labour court ordered reinstatement. The Hon'ble Supreme Court held that in the circumstances the order of Labour Court was justified.

13. But so far as the present case is concerned there is not even a plea about the mitigating circumstances. Besides Sri. Rajamani was involved in several acts of indiscipline and several criminal cases were pending against him. Due to the first incident the situation was tense in the area and the two workmen should not have created further chaos. In the light of the above circumstances the misconduct cannot be viewed lightly and therefore cannot be said to be excessive or shockingly disproportionate. Therefore I refrain from interfering with the punishment either.

In the result an award is passed finding that the action of the management in terminating the services of the workmen is legal and justified and they are not entitled for any relief.

The award will come into force one month after its publication in the Official Gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 10th day of August, 2009.

P. L. NORBERT, Presiding Officer

APPENDIX

Witness for the workmen

Nil

Witness for the management

MW1 - 17-2-2009 - M. V. Varkey

Exhibit for the workmen

Nil

Exhibit for the management

M1 - Enquiry File.

नई दिल्ली, 27 अगस्त, 2009

का.आ. 2596.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक नोट प्रेस के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/13/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-8-2009 को प्राप्त हुआ था।

[सं. एल-16011/1/98-आई आर(डी यू)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 27th August, 2009

S.O. 2596.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/LC/R/13/99) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank Note Press and their workmen, which was received by the Central Government on 27-8-2009.

[No. L-16011/1/98-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

NO. CGIT/LC/R/13/99

Presiding Officer : Shri Mohd. Shakir Hasan

General Secretary,

Bank Note Press Office Staff Association,

101, Adarsh Nagar Colony,

Dewas (MP)

... Workman/Union

Versus

The General Manager,
Bank Note Press,
Dewas (MP)

...Management

AWARD

Passed on this 12th day of August, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-16011/1/98/IR (DU) dated 30-11-98 has referred the following dispute for adjudication by this tribunal:—

“Whether the action of the management of General Manager, Bank Note Press, Dewas in not filling the vacant post resulting in curtailment done under economy drive is legal and justified? If not, to what relief the workmen are entitled to?”

2. The case of the applicant in short is that Bank Note Press Office Staff Association is a registered Trade Union and the Bank Note Press is Government of India undertaking under the Ministry of Finance. It is stated that after computerisation w.e.f. January, 1988, the management agreed that there would be no retrenchment and any worker rendered surplus would be absorbed and there will be no adverse effect on the conditions of work, promotion prospect etc. of the employees. It was also agreed that there will be no reduction or loss in their present salary and there will be adequate safeguard to protect the workers interests. It is stated that the management assured that new posts would be created in the computer section but instead of creating new posts, the Ministry curtailed/abolished 114 posts which was vacant in breach of the agreement and against the procedure laid down by the Ministry of Labour and Rehabilitation. The management declared Shri G. L. Karma, Head clerk (Stores) as surplus and accommodated in costing section against vacant post of Dy. Accountant after curtailing/abolishing the said post in violation of the said guidelines. It is submitted that the curtailment of vacant posts by the management was illegal and unjustified.

3. The management also appeared and filed Written statement in the case. The case of the management, inter alia, is that Bank Note Press, Dewas is Government of India undertaking under Ministry of Finance. It is admitted that an agreement was reached between the management of the Bank and applicant Union as stated above but the management had not violated any conditions of the agreement. It is stated that in the year 1993 on the instructions of the Government, 114 posts lying vacant were abolished. It is stated that a proposal for creation of posts for Computer section was sent to the ministry and the same is under consideration. It is stated that no post of Head Clerk was abolished and presently one Head clerk is working in the Store section and the service of Shri G. L. Karma is being utilized in costing section. On the basis of above facts, the applicant is not entitled for any relief.

4. During the course of proceeding, the applicant Union filed an application that the Union and the management held discussion relating to the said dispute and there is hope of amicable settlement. As such, the Union wants to close the present proceeding but reserve their right to raise the dispute again if no settlement is arrived at between the parties. It is submitted that no dispute award be passed. The management has no objection if the reference is disposed off as no dispute award.

5. Since good sense is going to prevail between the parties, no dispute award is passed without costs.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 27 अगस्त, 2009

का.आ. 2597.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बिकल फैक्ट्री के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एलसी/आर/90/04) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-8-2009 को प्राप्त हुआ था।

[सं. एल-14012/11/2004-आई.आर.(डी.यू.)]

सुरेन्द्र सिंह, डेस्क अधिकारी

New Delhi, the 27th August, 2009

S.O. 2597.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/90/04) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Vehicle Factory and their workmen, which was received by the Central Government on 27-8-2009.

[No. L-14012/11/2004-IR (DU)]

SURENDRA SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/90/04

Presiding Officer : Shri Mohd. Shakir Hasan

Shri Tekram Tiwari,
House No. 760-A, Jagdish Mandir,
M. P. Choubey House,
Jabalpur.

...Workman/Union

Versus

The General Manager,
Vehicle Factory,
Jabalpur.

...Management

AWARD

Passed on this 18th day of August, 2009

1. The Government of India, Ministry of Labour vide its Notification No. L-14012/11/2004/IR (DU) dated 29-7-04 has referred the following dispute for adjudication by this tribunal:—

“Whether the management of Vehicle Factory, Jabalpur, MP in imposing the penalty of compulsory retirement on Shri Tekram Tiwari w.e.f 14-4-94 is justified? If not, to what relief the workmen are entitled to?”

2. The case of the workman, in short, is that he was appointed as Fitter (skilled) in non-applicant organisation and his service was always satisfactory. It is stated that on 16-5-92 in lunch time, he was taking lunch but in the meantime co-workman M.G. Patel came with a bottle of liquor and offered him. He refused, then the said co-worker sprinkled a glass of liquor on his face. He started talking loudly. On hearing, other co-workers came and some one complained to the Security Officer. He was sent to hospital for examination where Dr. Mrs. A. De examined but he was not in intoxicated condition. Thereafter the applicant and Shri M. G. Patel were served with chargesheets. Departmental Enquiry was initiated against both. After enquiry, he was held guilty, Disciplinary Authority imposed penalty of Compulsory retirement. It is alleged that M. G. Patel was taken back in the service. The applicant after a long gap preferred appeal but the same was pending without any result as such he raised the present dispute.

3. The non-applicant appeared and filed written statement. The case of the non-applicant inter-alia is that the workman was found under the influence of alcohol on 16-5-92 while on duty along with another worker and was creating nuisance in the section. Both were taken to hospital for medical examination and after examination, both were found under the influence of alcohol by the doctor and were made unfit for duty for one day. Disciplinary Authority placed them under suspension from the said date and departmental proceeding were initiated against both of them. The workman M. G. Patel admitted the charges and was accordingly punished. The applicant denied the charges and as such the Enquiry Officer proceeded the enquiry. The workman participated in the enquiry and full opportunity was given to the applicant himself. There was no violation of natural justice. After enquiry, the Enquiry Officer submitted enquiry report and found the charge as proved. The Disciplinary Authority after perusing the enquiry report was satisfied that the workman had committed gross misconduct and

there was no infirmity in conducting the departmental enquiry and passed order of compulsory retirement on 14-4-1994. It is stated that the applicant did not file any appeal before the Appellate Authority and the present reference is also filed after the lapse of ten years. It is submitted that the reference be answered in favour of the non-applicant.

4. The applicant subsequently left the reference and became absent. The predecessor's Court after giving sufficient time proceeded ex parte on 18-7-07 against the applicant/workman.

5. The only question is as to whether the management awarded the penalty of compulsory retirement w.e.f. 14-4-94 to Shri Tekram Tiwari is justified?

6. To prove the case, the non-applicant/management has proved the oral and documentary evidence. Shri Sandeep Jain is Works Manager. He has supported the case of the non-applicant. He has stated that the applicant was found under the influence of alcohol on 16-5-92 while he was on duty and was committing nuisance. He was examined by the Doctor who also found him under the influence of alcohol and declared him unfit for the day. He was chargesheeted for the misconduct which is marked as Exhibit M/1. He denied the charges on 11-8-92, as such enquiry was conducted against him by the Enquiry Officer. He had been given full opportunity to defend himself and the principle of natural justice was followed. After enquiry, the Enquiry Officer submitted report which is marked as Exhibit-M-2 and found the charges proved against him. The disciplinary Authority, after perusing the representation and enquiry report was satisfied that the enquiry was done in accordance with law and the charges were proved. Therefore passed the order of compulsory retirement which is marked as Exhibit M/3. There is nothing in his evidence to disbelieve this witness. Moreover there is no other evidence to rebut the evidence of the non-applicant. Accordingly it is established that there is no illegality in the proceeding and non-applicant was justified in imposing punishment to the workman whose conduct was unbecoming a Government Servant.

7. In the result, the award is passed ex parte against the workman and in favour of the management without costs.

8. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2598—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ऑयल इंडिया

लिमिटेड के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, गुवाहाटी, असम के पंचाट (संदर्भ संख्या 1/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2009 को प्राप्त हुआ था।

[सं. एल-30011/33/2008-आई.आर.(एम.)]

कमल बाखरु, डेस्क अधिकारी

New Delhi, the 28th August, 2009

S.O. 2598.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 1/2009) of the Central Government Industrial Tribunal-cum-Labour Court, Guwahati, Assam now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Oil India Ltd. and their workman, which was received by the Central Government on 28-8-2009.

[No. L-30011/33/2008-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, GUWAHATI, ASSAM

Present :

Shri D. K. Deb Roy, M.A., LL.B
Presiding Officer,
CGIT-cum-Labour Court,
Guwahati.

Ref. Case No. 1 of 2009

In the matter of an Industrial Dispute between :—

The Management of Oil India Ltd. Duliajan, Assam.

The General Secretary,
Oil India Workers Association,
Duliajan, Assam.

APPEARANCES

For the Workman	: Sri S. C. Barman, Advocate
For the Management	: Sri S. N. Sarma, Sr. Advocate
	: Sri A. Sarma, Advocate
	: Sri N. Sarma, Advocate
	: Sri A. Jahid, Advocate.

Date of Award: 19-8-09

AWARD

1. The present reference is arising out of the Government Notification vide Memo No. L-30011/33/2008-

IR (M) Dated: 24-12-2008, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Act, 1947, for adjudication of the dispute as described in the Schedule below.

SCHEDULE

“Whether the contention of the Oil Workers’ Association that service conditions to the 30 Nos. listed Works Contract Labour (WCLs) have been changed by the management of Oil India Ltd. by making 48 hours duty instead of 44 hours on Saturdays and also rule framed for shift duty from 1.00 P.M. to 9.00 P.M. and accordingly implementation and non-payment for shift duty allowance, is legal and justified? If not, what relief the effected workmen are entitled to and from which date?”

2. On receipt of the reference notices were duly served upon the Oil India Ltd. Duliajan and M/s. P. Phukan & Company, contractor and the General Secretary Oil India Workers’ Association, Duliajan. On receipt of the notice the Oil India Ltd. (herein called the Management) submitted a petition challenging the maintainability of the order of reference. In obedience to summons M/s. P. Phukan & Company, Contractor submitted his W. S. Learned Counsel for the General Secretary, Oil India Workers’ Association took adjournments fixing 5-6-09 for objection hearing. That on 5-6-09 none appeared for the workman. So the matter could not be heard fixing 14-7-09 and on that day also neither the Advocate for the General Secretary nor M/s. P. Phukan & Company appeared before the Court. The learned Counsel for the Management emphatically submitted that the present reference is not maintainable as there is no relationship between the employer and employee between the 30 numbers of workmen and the management, Oil India Ltd. According to him, since the employer and employee relationship does not exist the matter should not have been referred by the Government of India under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the I.D. Act, 1947. In support of his argument he relied on some decisions of the Hon’ble Apex Court and the High Court which I will discuss at a later stage.

3. Now let me state that brief facts regarding the factum of maintainability as raised by the management. According to the management it is the settled position of law that contract labourers can not raise a dispute against the principal employer until and unless there is an order of prohibition of engagement of contract labourers by the Central Government U/s 10 of the Contract Labour (Regulation and abolition) Act. Till today there is no such

Notification prohibiting the employment of contract labourers in Oil India Ltd., Duliajan. Accordingly the present reference is not maintainable so far as the management Oil India Ltd. is concerned. It is further alleged by the management that, on 2nd May, 2005 the Management had entered into an agreement with the Contractor namely M/s. P. Phukan & Company for erection and subsequent dismantling of telephone line and cable/public address system etc. and certain other works. As per terms of the contract, the labourers engaged by the contractor will be entitled to Rs. 91.80 plus 12% PF contribution on basic wage for 8 hours service and they will be entitled for one rest day after every continuous 6 working days of service.

4. It is further averred that the allegations of the contract labourers that their working hours have been raised from 44 hours in a week to 48 hours. However as per the contract agreement the contractual labourer is entitled to get the prescribed rate of wages after working 48 hours in a week. The further allegation of the management is that if the labour contractor had chosen the least hour of work in a day in that event the management has nothing to do but it will be the prerogative of the management to deduct pro-rata amount from the contractor. It is further stated that as a matter of fact that the contract labourers were not the employees of the Management i.e. Oil India Ltd. and simply the principal employer as defined under the contract labour (Regulation and Abolition) Act. The contract labourers have master and servant relationship only with the contractor and the dispute if there be any, it is in between the contractor and the labourers. Oil India Ltd. being the principal employer has nothing to do with that. According to the Management the service conditions of the contract labourers are governed by the contract labour (Regulation and Abolition) Act 1970 and that the Rules framed therein as such, the reference is not maintainable and it is to be rejected.

5. M/s. P. Phukan & Company has also submitted written statement stating inter-alia that he was appointed as Labour Contractor vide Oil Letter No. CCO No. -INST/9408/2004 dtd. 1-1-05 for services of WCL's for complete erection & subsequent dismantling of the telephone lines and cable/public address system etc. of Oil India Ltd. Accordingly he engaged 30 numbers of workers for the purpose and daily wage @ Rs. 228.86 p was paid to per worker. According to him he is simply a commission agent. However, the General Secretary, Oil India Ltd. workers' Association has not submitted any W.S. even though he was given ample opportunity. Mr. S.N. Sarma, the learned Senior Counsel for the management in his efficacious submission has contended inter-alia that the relationship of employer and employee does not exist between Oil India Ltd. and the Contractual Labourers. In absence of relationship of employers and employee the dispute can

not be brought within the definition of Industrial Dispute as defined in Section 2 (k) of the Act.

6. It is thus abundantly clear that the contract labourers are the employees of the contractor and they are not the labourers under the management i.e. the Oil India Ltd. The learned counsel for the management relied on:—

i. (2001) 7 SSC 1, Steel Authority of India Ltd. and Ors.... Appellants -Vrs- National Union Waterfront Workers and Ors.....Respondents.

I have gone through the observations arrived at by the Hon'ble Supreme Court and I do agree it is applicable in the case in hand. I also refer another decisions of the Supreme Court reported in :

ii. (1985-II-LLJ-4), Workmen of Food Corporation of India.... Vrs.... Food Corporation of India., wherein the Supreme Court held that when a contract system is in vogue the workmen employed by the contractor certainly are not the workmen of the Corporation.

In my opinion, the principle enunciated by the Supreme Court in this decision fully applies to the fact of this case. Reliance has also been placed in a decision reported in :

iii. 1998 (2) GLT 67, India Oil Corporation Ltd.Appellant....Vrs.... Presiding Officer and Ors.... Respondents, wherein it has been observed, Industrial disputes Act, 1947 (14 of 1947) s. 10 (1)(d) - Reference-validity of-Labourers employed by the Contractor in the bottling plant of IOC seeking regularization of their services with the IOC.... No relationship of employer and employees between IOC and contract labourers- Cause of contract labourers not espoused by the direct employees of the principal employer.... Reference, held, not maintainable.

7. Having heard the learned counsel for the management and having considered the materials placed before me, I am of the considered view that the Reference u/s clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Act, 1947, is not maintainable. According to me, Mr. Sarma, the learned counsel for the management has rightly pointed out that the present reference is not maintainable. I find sufficient force in the submission.

8. With the observation indicated above, the reference stands disposed of.

9. Prepare no relief award and send the same to the Ministry as per law.

Given under my hand and seal of this Court on this 19th day of August, 2009 at Guwahati.

D. K. DEB ROY, Presiding Officer

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2599.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. अशोक घोष (स्टोन माईन्स) के प्रबंधन के संबंध में निदेशों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-1, धनबाद के पंचाट (संदर्भ संख्या 237/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2009 को प्राप्त हुआ था।

[सं. एल-29012/43/2000-आई आर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 28th August, 2009

S.O. 2599.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.237/2000) of the Central Government Industrial Tribunal/Labour Court No.1, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Ashok Ghosh (Stone Mines) and their workman, received by the Central Government on 21-8-2009.

[No. L-29012/43/2000-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1 DHANBAD**

In the matter of a reference under section 10(1) (d) & (2A) of Industrial Disputes Act, 1947

Reference No. 237 of 2000

Parties : Employers in relation to the management of
M/s. Ashok Ghosh (Stone Mines)

And

Their Workman

Present : Sri H.M. Singh, Presiding Officer

APPEARANCES:

For the Employers : None

For the Workman : None

State : Jharkhand Industry : Coal

Dated, 5th August, 2009

AWARD

By Order No. L-29012/43/2000/IR (M), dated 12-8-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of

Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal.

क्या कामगार श्री रतनदास ने मैसर्स अशोक घोष, पाकुड़, के यहां 290 दिन कार्य किया है? यदि हां, क्या नियोजक मैसर्स अशोक घोष, पाकुड़, द्वारा अपने कामगार श्री रतनदास को कार्यमुक्त कर देने का कृत्य न्यायोचित है? यदि नहीं तो कामगार किस राहत का हकदार है।

This reference case was received in this Tribunal on 18-9-2000. Thereafter, notices were sent to the parties to file written statement by the concerning union/workman. In spite of notices sent by speed post no written statement has been filed by the workman till 13-7-09. It therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

In such circumstances, In render NO DISPUTE AWARD in this reference case.

H.M. SINGH, Presiding Officer

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2600.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. एसोसियेटेड स्टोन एण्डस्ट्रीज के प्रबंधन के संबंध में निदेशों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय कोटा के पंचाट (संदर्भ संख्या 29/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2009 को प्राप्त हुआ था।

[सं. एल-29012/66/97-आई आर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 28th August, 2009

S.O. 2600.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.29/97) of the Central Government Industrial Tribunal/Labour Court Kota now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Associated Stone Industries and their workman, which was received by the Central Government on 28-8-2009.

[No. L-29012/66/97-IR(M)]

KAMAL BAKHRU, Desk Officer

अनुबन्ध

न्यायाधीश, औद्योगिक न्यायाधिकरण,

कोटा/केन्द्रीय/कोटा/राज./

पीठासीन अधिकारी-अनुराधा शर्मा, आर.एच.जे.एस.निर्देश
प्रकरण क्रमांक: ओ.न्या./केन्द्रीय/-29/97

दिनांक स्थापित: 21-11-97

प्रसंग: भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एल. 29012/66/97-आई आर (विधि) दि. 17-9-97

निर्देश/विवाद अन्तर्गत धारा 10(1) (घ) औद्योगिक विवाद अधिनियम, 1947

मध्य

भैरूलाल कोली पुत्र श्री धन्नालाल
द्वारा महामंत्री, पत्थर कामगार यूनियन, कोटा।

-- प्रार्थी श्रमिक

एवं

प्रबन्धक, एसोसियेटेड स्टोन इण्डस्ट्रीज (कोटा) (रामगंज मण्डी)

-- अप्रार्थी नियोजक

उपस्थित

प्रार्थी श्रमिक की ओर से प्रतिनिधि :-

श्री एन. के. तिवारी
श्री भैरूलाल कोली
(श्रमिक स्वयं)

अप्रार्थी नियोजक की ओर से प्रतिनिधि:-

श्री आर. एस. शर्मा
एजीएम(पी एण्ड ए)

अधिनिर्णय दिनांक: 3-7-09

अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश दिनांकित 17-9-97 के जरिये निम्न निर्देश/विवाद, औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरान्त "अधिनियम" से संबोधित किया जावेगा) की धारा 10 (1)(घ) के अन्तर्गत इस न्यायाधिकरण को अधिनिर्णयार्थ सम्प्रेषित किया गया है :-

"क्या प्रबन्धन मैसर्स एसोसियेटेड स्टोन इण्डस्ट्रीज (कोटा) लि. रामगंज मण्डी द्वारा उनके कर्मकार श्री भैरूलाल पुत्र श्री धन्नालाल कोली की सेवायें दिनांक 20-7-96 से समाप्त करने की कार्यवाही उचित एवं न्याया संगत है ? यदि नहीं तो कर्मकार किस अनुतोष का हकदार है ?"

2. निर्देश/विवाद, न्यायाधिकरण में प्राप्त होने पर पंजीबद्ध उपरान्त पक्षकारों को सूचना विधिवत रूप में जारी की गयी जिस पर दोनों पक्षों की ओर से अपने-अपने अभ्यावेदन प्रस्तुत किये गये व साक्ष्य में प्रार्थी की ओर से शपथ-पत्र पर परीक्षित किये जाने उपरान्त अप्रार्थी की ओर से शपथ-पत्र प्रस्तुत किया गया जिस पर जिरह हेतु पत्रावली नियत रही।

3. पत्रावली वास्ते जिरह गवाह अप्रार्थी 8-9-09 को नियम थी, किन्तु स्वयं प्रार्थी ने मय अधिकृत प्रतिनिधि आज प्रार्थना-पत्र प्रस्तुत कर निवेदन किया कि उसे लंबित प्रकरण में अप्रार्थी नियोजक से तयशुदा लाभ प्राप्त हो गये हैं और वो अब इस प्रकरण को आगे नहीं चलाना चाहता है और प्रकरण से संबंधित कोई राहत प्रार्थी को प्राप्त करना शेष नहीं है, अन्तिम निस्तारण चाहता है, अतः पत्रावली आज ही तलब कर प्रकरण का अन्तिम निस्तारण कर दिया जावे।

पक्षकारों को सुना गया। पत्रावली, प्रस्तुत प्रार्थना-पत्र प्रार्थनानुसार आज पेशी में ली गयी। प्रार्थी श्रमिक की स्वयं स्वीकारोक्ति अनुसार उसने लंबित प्रकरण में अप्रार्थी नियोजक से तयशुदा लाभ प्राप्त कर लिये हैं और अब प्रकरण को आगे नहीं चलाना चाहता, ना कोई राहत ही प्राप्त करना शेष है। अप्रार्थी प्रतिनिधि ने भी प्रार्थी के उक्त कथन पर अपनी सहमति व्यक्त की है। चूँकि प्रार्थी श्रमिक की स्वीकारोक्ति अनुसार उसने लंबित प्रकरण के सम्बन्ध में अप्रार्थी पक्ष से तयशुदा लाभ प्राप्त कर लिये हैं और कोई बकाया नहीं है। अतः सम्प्रेषित निर्देश/विवाद में अब प्रार्थी श्रमिक, अप्रार्थी नियोजक से किसी प्रकार का कोई अनुतोष का अधिकारी नहीं है और इसी प्रकार अधिनिर्णित कर उत्तरित किया जाता है।

अनुराधा शर्मा, न्यायाधीश

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2601.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.पी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-2, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-2/67/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2009 को प्राप्त हुआ था।

[सं. एल-30012/34/2003-आई आर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 28th August, 2009

S.O. 2601.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT-2/67/2003) of the Central Government Industrial Tribunal/Labour Court No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BPCL and their workmen, which was received by the Central Government on 28-8-2009.

[No. L-30012/34/2003-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

Present : A. A. LAD, Presiding Officer

Reference No. CGIT-2/67 of 2003

Employers in relation to the management of Bharat
Petroleum Corporation Ltd.

The Managing Director,
M/s. Bharat Petroleum Corpn. Ltd.,
Refinery Div., Mahul, Chembur,
Mumbai 400 0074.

...First Party

v/s

Sh. Ashok K. Kedare,
A-1, Hiradevi Housing Society,
Kharegaon, Kalwa.

...Second Party

APPEARANCE

For the Employer : Shri R.S. Pai, Advocates

For the Workmen : Shri Jaiprakash Sawant,
Advocate

Date of reserving the Award : 09-04-2009

Date of passing the Award : 13-07-2009

AWARD PART-I

The matrix of the facts as culled out from the proceedings are as under :

1. The Government of India, Ministry of Labour by its Order No. L-30012/34/2003-IR (B-M) dated 13th October, 2003 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 have referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of BPCL Refinery in dismissing the services of the workman Shri Ashok K. Kedare for absenteeism w.e.f. 25-3-2002 is legal, proper and justified ? If not, to what relief the concerned workman is entitled to ?"

2. In support of demand made by the concerned workman Claim Statement is filed at Exhibit 7 making out the case that, he was taken by 1st Party in Refinery at Mahul w.e.f. 7-1-1982 as Utility Operator. He submits that, during the course of his employment he sustained disease of sleep apnoea due to peculiar working conditions in which he was working there in the Refinery. It affected on his health and he started complaining about chest pain, Blood Pressure and Diabetics. He was taking treatment for all those diseases but did not get any relief. He states that, he undergone medical treatment and was compelled to remain away from his work because of his serious illness due to working condition. It is stated that, said illness was known to the Management and the Management used to reimburse the concerned workman of medical expenses incurred by him from time to time. He states that, as a result of that, he did not report on duty. Even he says that, he had no intention to remain absent from the duties and commit misconduct. He states that, he admitted the fact of absenteeism before the Enquiry officer but the punishment of removal was awarded on the alleged charge of absenteeism without prior permission and sanction. He states that, the finding given by the Enquiry Officer be declared perverse and the order of punishment awarded

on the basis of the said findings of the Enquiry officer be quashed and set aside with directions to the 1st Party to take him in the employment with all benefits.

3. This is disputed by the 1st party by filing written statement at Exhibit 8 making out the case that, the concerned workman was remaining absent on number of occasions. It is stated that, earlier he was held guilty on similar charges for 5 times. It is stated that, he was lastly charge sheeted on 21-12-2001 for remaining unauthorisedly absent for a long period which amounted to misconduct on the part of the concerned workman and domestic enquiry was held against the concerned workman and he participated in it. It is stated that, the concerned work admitted his guilt before the Enquiry Officer. It is stated that, accordingly the Enquiry Officer submitted the report and his findings on the basis of the evidence recorded by him holding the concerned workman guilty of the charges leveled against him. It is stated that, copy of the said finding was sent to the concerned workman directing him to submit his reply. It is stated that, the concerned workman participated in the enquiry. It is submitted that, the concerned workman admitted the charge before the Enquiry Officer and as such it is held that, the charge was proved. It is stated that, the Enquiry officer followed the procedure and gave the finding which is just and proper and does not require any interference. It is stated that, decision taken by the Disciplinary Authority on the basis of the said finding of the Enquiry Officer be upheld. It is prayed that, the Reference be rejected.

4. In view of the above pleadings Issues are framed at Exhibit 13. Out of those Issue of fairness of enquiry was deleted since enquiry is not seriously challenged. Now issue of perversity of finding remains which is to be adjudicated treating as a preliminary issue and I answer it as under :

ISSUE

FINDING

2. Is finding perverse?

No

REASONS :

ISSUE No. 2 :

5. The concerned workman challenges the findings of the Enquiry Officer as well as challenges the issue of decision of his termination taken by the Management on the said findings of the Enquiry Officer. According to the concerned workman, Enquiry Officer was not justified in observing the charges leveled against the concerned workman as proved and the finding of the enquiry officer is perverse. Whereas case of the 1st Party is that, since the concerned workman admitted that, he remained absent unauthorisedly without prior permission or sanction and admitted his unauthorized absenteeism before the Enquiry

Officer and when relying on admissions, finding is given by the enquiry officer does not require to be questioned. Besides show cause notice was issued to the concerned workman. Considering all that, 1st Party decided to discharge the concerned workman and the same was challenged by him before the Appellate Authority who also turned down his appeal.

6. On that 2nd Party, the concerned workman filed affidavit at Exhibit 15 in lieu of examination-in-chief where he narrates the same story and states that, the finding of the Enquiry officer is perverse. In the cross he admits that, he was served with the charge sheets. He admits that he attended the Enquiry. He admits the signatures on pages 5-7 of enquiry proceedings. He states that, he did not complaint about the enquiry proceedings recorded by the Enquiry Officer. He alleges that, the complained on findings. He states that, he has no evidence to that effect. He states that, he was terminated by order dated 25-3-2002 and the said was challenged by him before the Appellate Authority which was turned down. He admits that, he was punished before and the same was challenged. He states that, he has given medical certificates to the 1st Party. It was suggested by the 1st Party, whether he submitted the medical certificates before the Enquiry Officer to justify his absenteeism. He admits that, the Company has its own Doctor and he was examined by the Company's Doctor. He admits that, he has no proof on that point. On that, the concerned workman closed his evidence and filed closing purshis at Exhibit 16.

7. 1st Party filed affidavit of its witness K.M. Vankar, at Exhibit 18, in lieu of his examination-in-chief, who was the Enquiry Officer. He states that, he conducted the enquiry against the concerned workman in respect of the charges leveled against him in respect of the charge sheet dated 21-12-2001. He states that, enquiry was fair and proper. He states that, the gave finding relying on the evidence and relying on the guilt admitted by the concerned workman. He states that, charge of absenteeism was proved against the concerned workman since he admitted it. He states that, nothing was brought by the concerned workman in the enquiry to justify his absenteeism. On that, 1st Party closed his evidence and filed closing purshis at Exhibit 19.

8. Written arguments were submitted by both i.e. by the concerned workman at Exhibit 20 and by the 1st Party at Exhibit 23.

9. In respect of the said termination there are enquiry proceedings at pages 5-7 of Exhibit 14. Charge of unauthorized habitual absence, without permission is leveled against the concerned workman for his habitual

absence during the period between January, 2001 to November, 2001. It is stated that, the remained absent unauthorisedly without intimation or prior permissison from 1-1-2001 to November, 2001 which was treated as habitually absent without permission or prior permission or intimation constituted gross misconduct. It is alleged that, he remained absent on number of occasions even previously. It is alleged that, remained absent without intimation or prior permission from January, 2001 to November, 2001 and as such it is stated that, he was habitual of remaining absent without intimation and sanction of leave which showed that, he was in the habit of remaining absent without prior permission and intimation which amount to misconduct on the part of the concerned workman.

10. The case of the 2nd Party, concerned workman, is that because of his sickness he was not in position to attend his duties regularly and as such remained absent. He pleaded guilty on the charge of absenteeism before the Enquiry Officer and the Enquiry Officer recorded the same in the enquiry proceedings on 6-2-2002 at page 6 of Exhibit 14. The concerned workman when admitted the charge of absenteeism and pleaded guilty of the charge of absenteeism then question was put to him by the Enquiry Officer what he has to say about absenteeism and relying on the admission given, the Enquiry Officer observed him guilty of the charge leveled against him as "proved". Even, the concerned workman is not stating how finding of the enquiry is perverse. He only says that, finding is perverse. However, when concerned workman admits that, he was absent without prior permission or intimation and when he has not proved that, he has given intimation or informed 1st Party how he can say that, the finding of the Enquiry Officer was perverse? Evidence was there before the Enquiry Officer to observe that, he remained absent unauthorisedly and when he admits his unauthorized absence without prior sanction or permission/intimation, how finding given by the Enquiry Officer is perverse? In this premises if we read the finding of Enquiry Officer in my considered view, there is no point in saying that, Enquiry Office was not having any evidence before him to conclude that, the concerned workman was not absent unauthorisedly and the story put up by him that, he submitted the medical certificates were not accepted. It is not made know to whom he gave those medical certificates. It is also not made know by the concerned workman for what period said certificates were given since we find 1st certificate is dated 10-6-1999, 2nd dated 23-1-2001, 3rd dated 13-9-2001, 4th 6-11-2001, 5th dated 12-12-2001 6th dated 10-4-2002 which are pages from 2 onwards of Exhibit 17. But it is not proved, who gave those and whether he was

authorised to receive it? There may be certain reasons for the concerned workman to remain absent from duty. He does not claim that, he applied for leave. Even he does not claim that, he applied for leave for the above period of his absenteeism and it was not granted by the 1st Party. Even it is not his case that, his said absenteeism was made known to the 1st Party by applying for the same. When absence was not made known in advance and when there was no prior permission sought for it and when he remained absent unauthorisedly, in my considered view, charge of absenteeism appears to be proved against the concerned workman and on that basis, the Enquiry Officer has observed him guilty of the charge of absenteeism which need not be disturbed.

15. When evidence brought on record reveals that, the concerned workman remained absent without permission in my considered view the finding of the Enquiry Officer cannot be observed as perverse as prayed by the concerned workman. So I answer this issue to that effect holding that, the finding of the Enquiry Officer is not perverse and passes the following order :

ORDER

- a. finding is not perverse,
- b. both parties are directed to appear on the point of quantum of punishment.

Bombay,
13th July, 2009

A. A. LAD, Presiding Officer

नई दिल्ली, 28 अगस्त, 2009

का.आ. 2602.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आई.ओ.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं.-I, चंडीगढ़ के पंचाट (संदर्भ संख्या-9/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2009 को प्राप्त हुआ था।

[सं. एल-30012/37/2006-आईआर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 28th August, 2009

S.O. 2602.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 9/2007) of the Central Government Industrial Tribunal/Labour Court No. I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of IOCL and

their workman, which was received by the Central Government on 28-8-2009.

[No. L-30012/37/2006-IR(M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I,
CHANDIGARH**

Case No. I.D. 9/2007

Sh. Hari Singh C/o Shri M.L. Chandna, 38-A, Pritam Nagar, Kamal.

....Applicant

Versus

The Deputy General Manager, Indian Oil Corporation (Marketing Division), Indian Oil Bhawan Yusuf Saria, New Delhi-110016.

....Respondent

APPEARANCES

For the workman: .. None

For the management: ...Shri Vivek Kaushal

AWARD

Passed on :- 1-8-2009 Panipat Camp Court

Central Government vide Notification No. L-30012/37/2006-IR (M), dated 15-01-2007, has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of IOCL, Panipat in terminating the services of Shri Hari Singh S/o Shri Chanan Ram, Electrician w.e.f. 1-9-2003 is just and legal? If not, to what relief the workman is entitled to?"

2. Case repeatedly called. No one appeared for the workman. The case is already two years old. Despite notice the workman has not put up his appearance for his evidence. It appears that workman is not interested to peruse with the present claim in reference. Hence, the present claim in the reference is returned to the Central Government as such for want of prosecution. Central Government be informed. File be consigned.

Chandigarh

1-8-2009 Panipat Camp Court

G. K. SHARMA, Presiding Officer

नई दिल्ली, 28 अगस्त, 2009

का. आ. 2603.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै. ट्रावन्कोर टाइटेनियम प्रोडक्ट लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय इनाकुलम के पंचाट (संदर्भ संख्या 23/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2009 को प्राप्त हुआ था।

[सं. एल-43011/5/2007-आई आर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 28th August, 2009

S. O. 2603.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.23/2008) of the Central Government Industrial Tribunal/Labour Court, Ernakulam now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Travancore Titanium Products Ltd. and their workman, which was received by the Central Government on 28-8-2009.

[No. L-43011/5/2007-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ERNAKULAM

Present : Shri P. L. Norbert, B. A., LL.B., Presiding Officer

(Friday the 31st day of July, 2009/9th Sravana, 1931)

I. D. 23/2008

- Unions :
1. The General Secretary, Titanium Workers Union (AITUC), Kochuveli, Thiruvananthapuram-695 021.
 2. The General Secretary, Titanium Products Labour Union (AITUC), Kunnumpuram, Thiruvananthapuram-695 011.
 3. The General Secretary, Titanium General Labour Union CITU, Jawahar Smarakom, Kochuveli, Thiruvananthapuram-695 021. (In person)
- Management : The Managing Director, Travancore Titanium Products Ltd. Kochuveli, Thiruvananthapuram-695 021. (In person)

This case coming up for hearing on 27-07-2009, this Tribunal-cum-Labour Court on 31-07-2009 passed the following.

AWARD

This is a reference made under Section 10 (1) (d) of Industrial Disputes Act. The reference is :

"Whether the action of the management of M/s. Travancore Titanium Products Ltd., Trivandrum in stopping the existing privilege of extension of service available to the workers for a maximum period of two years on attaining the age of superannuation without following the provisions of Section 9 A of the ID Act, 1947 and without amending Clause 12 (c) of the Certified Standing Orders of the establishment, is justified? If not, what should be the relief to be given to the workmen of the establishment?"

2. The facts of the case in brief are as follows :—The management M/s. Travancore Titanium Products Ltd. is a public limited company owned by Government of Kerala. It is a scheduled industry as per the provisions of Industrial (Development and Regulation) Act 1951 and the appropriate Government as per S.2 (a) of Industrial Disputes Act is the Central Government. According to the union as per the Standings Orders from the very inception of the establishment of the company the retirement age of the workers was 60 years, provided a medical certificate regarding physical and mental fitness is produced. But in the year 2007 for the first time the management declined to extend the service of workers beyond 58 years on the ground that there is excess manpower. It is a blatant violation of the provisions of Standing Orders and a change in the service conditions which cannot be imposed unilaterally by the management. Since long the workers were enjoying the privilege of service extension up to the age of 60 years. Hence the retirement age of 60 has to be restored.

3. According to the management the retirement age at all times has been 58 years and not 60 years. However the management is having the discretion to extend the service up to the maximum age of 60 years on proof of physical and mental health. Since 2004 the company has been running at heavy loss and the management in discussion with the unions decided to reduce the manpower considerably. As a step towards that, extension of service after the attainment of the age of 58 years was stopped. It is in accordance with the Standing Orders of the company. The extension of service up to the age of 60 years is not a privilege of the employees but a prerogative of the management.

4. In the light of the above contentions the points that arise for consideration are :-

1. What is the retirement age ?
2. Are the workers entitled for extension of service up to the age of 60 years ?

5. The evidence consists of the oral testimony of Wws. 1 and 2 and the documentary evidence of Exts. W-1 to W-23 on the side of unions and MW1 and Exts. M-1 to M-17 on the side of the management.

6. Points 1 & 2 : The service conditions of employees of the company is governed by Standing Orders of the company. Originally there were two separate Standing Orders, one for staff and the other for labourers. The retirement age of staff was fixed as 60 years and that of the workers 58 years but with a clause to extend the service up to 60 years on production of a medical certificate. Ext. M5 is the first standing orders (1967) in respect of workmen. It was amended in 1971 and Ext. M6 is the Standing Orders of 1971. Provision with regard to retirement age is similar. In 1980 a unified Standing Orders both for staff and workmen was certified (Ext. M-1). As per Ext. M1 the retirement age of staff is 60 years and of the workmen 58 years with extension of service for a maximum period of two years on production of a medical certificate. According to the union the extension of service up to the age of 60 years is automatic on production of a medical certificate. This privilege was being enjoyed at least for the last 28 years until 2007 and cannot be altered all on a sudden by the management without a notice under S.9A of I.D. Act. The employees who had joined service expecting retirement at the age of 60 years, had set their life pattern accordingly and an abrupt change imposed unilaterally by the management has upset their life and life pattern. But the management contends that the retirement age has at all times been 58 years. Extension of service thereafter is purely in the discretion of the management. The exigency since 2004 required reduction of manpower and therefore extension of service beyond 58 years cannot be considered.

7. The contention of the unions that the retirement age at all times has been 60 years is incorrect. Exts. M-5, 6 & 1 Standing Orders show that the retirement age has always been 58 years and not 60 years. As per Clause 20-(c) of Ext. M-5, the first Standing Orders the retirement age is :- "A worker shall ordinarily retire from service on the completion of his 58th years. On production of a medical certificate from the ESI Doctor about his physical fitness and mental alertness he shall continue in service for one more year (i.e. up to 59th years)". Clause 20-(c) was amended by Ext. M-6 Standing Orders in 1971 as follows : "On production of a medical certificate from the ESI Corporation Doctor to the effect that he is physically and mentally fit to remain in service, he may be given year to year extension to continue in his post for two more years, that is, up to the 60th years of his age". Clause 12-(c) of 1980 Standing Orders (Ext. M1) with regard to retirement age is : "A workman who is at present covered by the provisions of Standing Orders for workmen will retire on completion of the age of 58 and a workman who is now covered under the Standing Orders for staff will retire on completion of the age of 60. The management may however extend the service of a workman up to a maximum period of 2 years beyond his normal age of retirement as given above, at the discretion of the management if he is certified fit for such extended service by the ESI Medical Officer or such other competent authority in the case of those who are not covered by the ESI Act". It is evident from the above

standing orders that the retirement age at all times has been 58 years and not 60 years. While Ext. M-5 Standing Orders use the words "shall continue" for one year more (up to 59th year), Ext. M-6 and M-1 the wording is "may be given year to year extension" for two more years (up to 60th year) and "may extend up to maximum two year at the discretion of management" respectively. Therefore as per 1971 Standing Orders and 1980 Standing Orders it is purely the discretion of the management to give extension of service after attainment of the age to 58 year. The unions were heard before 1980 standing orders was certified. The disputed clause 12 © is not challenged so far. Therefore the contention now that extension of service beyond the age of 58 years is automatic on production of a medical certificate is without merits. If it were so there is no question of exercising discretion by the management as they will have no discretion at all. It is definitely true that discretion does not mean that the management can act according to their whims and fancies, but according to the law and for sound reasons.

8. The prime reason stated by the management for not extending the service of the workers beyond 58 years is due to the heavy loss sustained by the company since 2004. There was discussion between management and unions regarding the ways and means to save the company. They reached a consensus to reduce the manpower. Hence it is for the management to find out all possible ways to achieve this goal. One way may be by stopping fresh recruitment, another by retrenchment and a third one by not extending the service beyond retirement age. If retrenchment is resorted to then the company which is already in debts will be further burdened by payment of retrenchment compensation. That may not be a right decision for a weak company. When the management decides not to extend the service beyond the retirement age of 58 years it is concerning an entire class of such workmen without discrimination. It cannot be considered as an arbitrary exercise of discretion. The management stopped extension of service beyond 58 years from april 2007 and thereafter none was considered for extension. When standing orders confers discretionary power on management and that power is exercised soundly no malafides can be imputed on the management.

9. It is contended by the unions that the management is adopting double standard by reducing the manpower on the one hand and recruiting fresh hands on the other hand. Exts W-22 and 23 are produced to prove that fresh hands were taken by the management while the decision to reduce staff strength is in force. Ext. W-22 is an appointment order to a retired Deputy General Manager (Materials) of Kerala Minerals and Metals Ltd., Chavara, Kollam as Technical Advisor to CMD, TTPL, Thiruvananthapuram on contract basis for two years from 01-04-2009 on a consolidated pay of Rs. 50,000 per month. Ext W-23 is an advertisement of 2009 notifying vacancies

of 12 officers in the managerial cadre and 12 electricians. It is to be noted that requirements of personnel in essential posts have to be met for the smooth functioning of an establishment. The need of an electrician cannot be met by transferring a general worker from the production wing. At any rate the number of vacancies attempted to be filled up is incomparable with the quantum of manpower decided to be reduced. The hands of management are not tied by one reason in exercising its discretion. They may be guided by any good reason. At any rate as a matter of right the workers cannot claim extension of service.

10. It is then contended by the unions that since 1967 the workers have been enjoying the privilege and a customary concession of extension of service and it has become a service condition. To change it a notice under S. 9-A of I.D. Act has to be given to the workers. The 4th schedule to I.D. Act refers to conditions of service for change of which a notice is required. Item No. 8 of the 4th schedule is regarding 'Withdrawal of a customary concession or privilege or change in usage'. But there is a provision regarding retirement age in all the Standing Orders right from 1967. When there is written provision governing a service condition the question of a custom or privilege does not arise. The custom gets the force of law only in the absence of a written rule or provision to govern the situation. But so far as the present case is concerned the workers are governed by Standing Orders with regard to retirement age. It can be changed only by amending the standing orders. Since the retirement age is 58 years, refusal to extend service, does not amount to change in service condition. Hence no notice u/s. 9A of I.D. Act is required. Extension of service is the discretionary power of the management and the decision not to extend service is backed by cogent reasons.

11. The union has produced Ext. W-11 series and 12 to show that the management was giving service extension all along. Ext. W-11 is an order extending service to one Shri A. Velayudhan in 1997 (same as Ext. W-18), Ext. W-11 (a) is in respect of Sri S. Moni in 2002 [same as Ext. W-18(a)], Ext. W-11(b) is in respect of Shri C.V. Kunhiraman in 1999 and Ext. W-12 is in respect of Sri A. Natesan Asari in 2001 [same as Ext. W-18(b)]. The management has produced Ext. M-9, M-11 to 14 regarding refusal to extend service. Ext. M-9 is an order refusing to grant extension of service to Sri C. Venugopalan Nair in the year 2006. Exts. M-11 & 12 are extension of service of two employees in 2004. Ext. M-13 is refusal to grant extension to Sri C. Venugopalan Nair due to his continuous absence. Ext. M-14 is an order not extending services of Sri K. K. Abdul Rehiman as he did not wish to continue. No other cases of extension or refusal to extend are brought on evidence. The union cannot be heard to say that the retirement age is not 58 years and extension is automatic as Clause 12 (C) of Standing Orders is differently worded and such a clause was incorporated after hearing the unions

by the certifying officer and as long as that clause is not challenged.

12. It is to be noted that some of the workers and union had approached Hon'ble High Court by Writ O.P. challenging the decision of the management not to extend service of workers. Ext. M-10 is the judgment in O.P. 13568/94 filed by worker Sri. P.M. Kurian. It was held by the Hon'ble High Court that the worker was bound by the settlement reached between management and union in 1990. Besides there is a Government order to continue the existing practice of fixing the retirement age as 58 years. It was also held that as a matter of right the worker cannot claim extension of service. It is for the management to decide whether to grant or not to grant extension of service. By Ext. M-15 the 2nd union had challenged the decision of the management not to extend the service of worker, Sri P. Yohannan. But the Hon'ble High Court directed the management to consider the representation, to be made by the worker, in accordance with law. Ext. M-16 is another O.P. filed by another worker for similar relief and a similar order was passed in that O.P. also. Ext. M-17 is a judgment in another O.P. filed by a worker for similar relief. But no relief was granted as the petitioner sought permission to withdraw the writ petition without prejudice to his right to raise an industrial dispute. From 1971 onwards the provision with regard to retirement age and discretionary power of the management to extend the service up to 60 years were there. But so far that provision is not challenged by the unions. In 1990 there was a memorandum of understanding between management and unions regarding charter of demands submitted by the unions. As per item No. 20 Clause 12-(c) of the Standing Orders was proposed to be amended to the effect that "the workman also will be allowed to continue up to the age of 60". Thereafter there was a memorandum of settlement on 15-05-1990. Item No. 34 of the settlement is with respect to retirement age and the provision is: "the existing practice will continue". Ext. M-17 & 16 are the memorandum of understanding and memorandum of settlement respectively. The existing practice is to retire at the age of 58 years and if the management wants to continue him thereafter, they may consider his case according to their discretion after getting a medical certificate from him. There is no practice of automatic extension of service on production of a medical certificate. In 2008 the management wanted to make a uniform rule with regard to retirement age of staff and workmen and fix it as 58 years instead of 60 years for staff and 58 years for workmen. However the certifying officer (Regional Labour Commissioner) refused to accept the proposal of the management. Ext. W-14 is the order of the Regional Labour Commissioner. The management though filed an appeal before the Deputy Chief Labour Commissioner it was disallowed. Ext. W-15 is the order of Appellate Authority. It was challenged by the management before Hon'ble High Court and it is pending. Meanwhile on the basis of memorandum of understanding proposing retirement age of workers as 60 years, there was an order of

the Government regarding retirement age. Ext. M-3 is the order of the Government dated 07-05-1990 whereby the memorandum of understanding 1990 (Ext. W-17) was approved except the proposal with regard to retirement age of worker as 60 and directed that the "existing practice of 58 years will continue". This being the position there can be no doubt that the retirement age is 58 years and not 60 years. The extension of service is purely the prerogative of the management and not a matter of right of employees.

13. It was lastly contended by the union that since 2009 the company is making profit and therefore there is no need to reduce the strength of employees or for that matter stopping extension of service up to the age of 60 years. Ext. W-20 is a newspaper cutting which refers to profit made by the management. Ext. W-21 is minutes of the meeting between management and unions. The company admitted in the meeting that since December, 2008 it was making profit. Even though the management is admitting that the company is making profit on account of various cost reduction measures adopted, still according to them, the financial position is not stable. The unions had agreed to reduce the manpower as one of the measures to save the company. The management decided not to extend the service of any employee from April, 2007 onwards. In pursuit to revive and retrieve the establishment from the depth of debts all possible measures were adopted by the management. Of course that does not mean that the employees are to be thrown out of service arbitrarily. If they are sent out before the age of superannuation they have to be given retrenchment compensation thereby company incurring further liability. But to retire at the age of superannuation does not amount to retrenchment. However if the prevailing circumstances of profit making continue it is only appropriate for the management to consider whether their discretionary power to extend service is to be exercised in favour of the employees who have put in long years of service and stood through thick and thin. But the employees cannot claim extension of service as a matter of right. The decision referred by the learned counsel for the first union and reported in *Upton India Ltd. V. Shammi Bhan* AIR 1998 SC 1681 has no relevance to the issue in question. The reported decision relates to termination of service without hearing the employees and without following the provision in the Standing Orders which gives discretion to the management to terminate the service of an employee who overstays leave without permission. It is not a case regarding retirement age. In the instant case there is no retrenchment or termination of service abruptly but only superannuation as stipulated in the standing orders.

14. In the light of the reasons stated above I find that the retirement age is 58 years and the workmen are not entitled for extension of service beyond 58 years as a matter of right and it is the discretion of the management to do so and the management has not exercised that discretion

arbitrarily at any time. Therefore they are not entitled for any relief.

In the result an award is passed finding that the action of the management in not extending the service beyond the age of 58 years is legal and justified and the workers are not entitled for any relief.

The award will come into force one month after its publication in the official gazette.

Dictated to the Personal Assistant, transcribed and typed by her, corrected and passed by me on this the 31st day of July, 2009.

P. L. NORBERT, Presiding Officer

APPENDIX

Witnesses for the Unions

W W 1 07-07-2009 Bose. M. Paret.
W W 2 07-07-2009 R. Vikraman Nair.

Witness for the Management

M W 1 07-07-2009 R. Vijayakumar

Exhibits for the Unions

- W1 Copy of the 1st page of the Standing Orders for Workmen, effective from 1st of September, 1967 (Definition of Worker).
- W2 Copy of the 1st page of the Standing Orders for Staff, effective from 14th June, 1967 (Definition of Staff).
- W3 Copy of the 1st page of the Standing Orders for Workmen, effective from 21st May, 1980 (Definition of Workmen).
- W4 Clause 20 (C) of the Standing Orders for Workmen, effective from 1st September, 1967 (Regarding the age of Retirement).
- W5 Clause 20 (C) of the Standing Orders for Workmen, effective from 24th February, 1971 (Regarding the age of Retirement).
- W6 Clause 12 (C) of the Standing Orders for Workmen, effective from 21st May, 1980 (Regarding the age of Retirement).
- W7 Reported decision in *Jeewanlal (1929) Ltd. V. Workmen* (AIR 1972 SC 1210).
- W8 Reported decision in 1959 SC 1279, *Guest Keen Williams (P) Ltd. V. P.J. Sterling*.
- W9 Fourth Schedule of the Industrial Disputes Act, 1947.
- W-10 Section 9 A of the Industrial Disputes Act, 1947.
- W-11 Individual Memos served to workers.
- W-12 Individual Memos served to a worker.
- W-13 Employers proposal for the amendment of the Clause 12 (C) submitted before the Certifying Officer.

- W-14 Proposed amendment of the Clause 12 (c)—Decision of the Certifying Officer rejecting the proposal—1st and last page.
- W-15 Proposed amendment of the Clause 12 (c)—Decision of the Appellate Authority - rejecting the appeal.
- W-16 Memorandum of Settlement dated 15-5-1990 - 1st and 9th page - Item No. 34.
- W-17 MOU dated 01-02-1990 signed ahead of Settlement dated 15-05-1990 - 1st and the 8th page Item No. 20.
- W-18 Individual Memos served to the workers having no hint that their extension was given at the discretion of the employer.
- W-19 1st and 9th page of the proceedings of the Appellate Authority on the appeal preferred by the Titanium Products Labour Union regarding the age of retirement of workers.
- W-20 Copy of the newspaper cutting regarding the profit of the company (Mathrubhumi daily dated 15-12-2008).
- W-21 1st and 2nd page of the minutes of the meeting between the unions and the employer held on 01-06-2009. It refers of the profit of the company from December, 2008 onwards.
- W-22 Government Order appointing a person who has been retired at the age of 58 from the Kerala Minerals and Metals Ltd, Chavara, Kollam.
- W-23 - Notification for Recruitment.

Exhibits for the Management

- M1 True Copy of Standing Orders 1980.
- M2 True Copy of Memorandum of Understanding between the Management and Unions dated 01-02-1990.
- M3 True Copy of Government letter No. 156/H3/89/ID dt. 07-05-1990.
- M4 True Copy of Memorandum of settlement dt. 15-05-1990.
- M5 True Copy of Standing Orders for Workmen 1967.
- M6 True Copy of amendment dt. 25-01-1971 to Clause 20 (C) of Standing Orders for workmen 1967.
- M7 True Copy of the Profit and Loss Account during 2005-2006.
- M8 True Copy of memos extending service under Clause 12 (C) of Standing Orders.
- M9 True Copy of memos not granting extension under Clause 12 (C) of Standing Orders.
- M10 True Copy of Judgment of the Hon'ble High Court dt. 12-10-1994 in O. P. No. 13568/94.
- M11 True Copy of Memo from M (P&A) dt. 4-11-2004 and the endorsement from Chief Engineer recommending extension of service of Sri. C.N. Ramachandran Pillai.
- M12 True Copy of Memo from M (P&A) dt. 4-11-2004

and the endorsement from Chief Engineer recommending extension of service of Sri. P. Innas.

- M13 True Copy of Memo dated 3-02-2006 from M (P&A) and the endorsement from CPM not recommending extension of service of Sri. Venugopalan Nair.
- M14 True Copy of Memo dated 8-05-2007 from M (P&A) and the endorsement from CPM not recommending extension of service of Sri. K. K. Abdul Rehiman.
- M15 True Copy of Judgment dated 30-05-2007 from the Hon'ble High Court of Kerala in WP (C). 13912/2007 filed by Titanium Products Labour Union.
- M16 True Copy of Judgment dated 29-05-2007 from the Hon'ble High Court of Kerala in WP (C). 16293/2007 filed by Sri. Atli Vilonis.
- M17 True Copy of Judgment dated 28-05-2008 from the Hon'ble High Court of Kerala in WP (C). 15791/2008 filed by Sri. C. Mohanan.

नई दिल्ली, 28 अगस्त, 2009

का. आ. 2604.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार प्रकाश स्टोन वर्क्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण /श्रम न्यायालय सं. 1, धनबाद के पंचाट (संदर्भ संख्या 236/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2009 को प्राप्त हुआ था।

[सं. एल-29012/42/2000-आई आर (एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 28th August, 2009

S. O. 2604.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.236/2000) of the Central Government Industrial Tribunal/Labour Court No.1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Prakash Stone Works and their workman, which was received by the Central Government on 28-8-2009.

[No. L-29012/42/2000-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, (NO. 1), DHANBAD

In the matter of a reference under section 10(1)(d) & (2A) of Industrial Disputes Act, 1947

Reference No. 236 of 2000

Parties : Employers in relation to the management of
Prakash Stone Works

and

Their Workman

Present : Shri H. M. Singh, Presiding Officer

APPEARANCES:

For the employers : None

For the Workman : None

State : Jharkhand

Industry : Coal

Dated, 4th August, 2009

AWARD

By Order No. L-29012/42/2000/IR (M), dated 12-8-2000 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal.

“क्या कामगार श्री नन्द लाल सुरी ने मैसर्स प्रकाश स्टोन वर्क्स पाकुड़ के यहां 240 दिन कार्य किया है। यदि हां, क्या नियोजक मैसर्स प्रकाश स्टोन वर्क्स पाकुड़, अपने कामगार श्री नन्द लाल सुरी को कार्यमुक्त कर देने का कृत्य न्यायोचित है? यदि नहीं, तो कामगार किस राहत का हकदार है।”

This reference case was received in this Tribunal on 18-9-2000. Thereafter, notices were sent to the parties to file written statement by the sponsoring union/workman. In spite of notices sent by speed post no written statement has been filed by the workman till 13-7-09. It therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

In such, circumstances, I render No Dispute Award in this reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 28 अगस्त, 2009

का. आ. 2605.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आई. ओ. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण / श्रम न्यायालय सं. 1, चंडीगढ़ के पंचाट (संदर्भ संख्या 10/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-8-2009 को प्राप्त हुआ था।

[सं. एल-30012/38/2006-आई आर(एम)]

कमल बाखरू, डेस्क अधिकारी

New Delhi, the 28th August, 2009

S.O. 2605.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.10/2007) of the Central Government Industrial Tribunal/Labour Court No. 1, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of IOCL and their workman, which was received by the Central Government on 28-8-2009.

[No. L-30012/38/2006-IR (M)]

KAMAL BAKHRU, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

Case No. I. D. 10/2007

Sh Nasib Singh, C/o Shri M. L. Chandna, 38-A,
Pritam Nagar, Karnal ...Applicant

Versus

The Deputy General Manager, Indian Oil Corporation
(Marketing Division), Indian Oil Bhawan, Yusuf Sarai,
New Delhi-110016.Respondent

APPEARANCES

For the workman : None

For the Management : Shri Vivek Kaushal

AWARD

Passed on : 1-8-2009, Panipat Camp Court

The Central Government vide Notification No. L-30012/38/2006/IR (M), dated 15-1-2007 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of IOCL, Panipat in terminating the services of Shri Nasib Singh S/o Shri Balbir Singh, Storekeeper/Store Assistant, on 30/12/2003, is just and legal? If not, to what relief the workman is entitled to?”

2. Case repeatedly called. No one appeared for the workman. The case is already two years old. Despite notice the workman has not put up his appearance for his evidence. It appears that workman is not interested to pursue with the present claim in reference. Hence the present claim in the reference is returned to the Central Government as such for want of prosecution. Central Government be informed. File be consigned.

Chandigarh :

1-8-2009, Panipat Camp Court

G. K. SHARMA, Presiding Officer

नई दिल्ली, 3 सितम्बर, 2009

का. आ. 2606.—जबकि मैसर्स व्हील्स इंटरनेशनल लि. [राजस्थान क्षेत्र में कोड संख्या आरजे/ 6262 के अंतर्गत] (एतदुपरान्त प्रतिष्ठान के रूप में संदर्भित) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (एतदुपरान्त अधिनियम के रूप में संदर्भित) की धारा 17 की उप-धारा (1) के खण्ड (क) के अंतर्गत छूट के लिए आवेदन दिया है

2. और जबकि, केन्द्र सरकार के विचार में अंशदान दर के मामले में उक्त प्रतिष्ठान के भविष्य निधि के नियम उसके कर्मचारियों के लिए उक्त अधिनियम की धारा 6 में विनिर्दिष्ट की तुलना में कम हितकर नहीं हैं और कर्मचारी भी समान प्रकृति के किसी अन्य प्रतिष्ठान के कर्मचारियों के संबंध में उक्त अधिनियम या कर्मचारी भविष्य निधि योजना, 1952 (एतदुपरान्त उक्त प्रतिष्ठान के रूप में संदर्भित) के अंतर्गत अन्य भविष्य निधि लाभ भी प्राप्त कर रहे हैं।

3. केन्द्र सरकार एतद्द्वारा, अब उक्त अधिनियम की धारा 17 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में समय-समय पर विनिर्दिष्ट शर्तों को ध्यान रखते हुए, उक्त प्रतिष्ठान को उक्त योजना के समस्त उपबंधों के प्रचालन से 01-04-1996 से अगली अधिसूचना तक के लिए छूट प्रदान करती है ।

[सं. एस-35015/49/2009-एस. एस-II]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 3rd September, 2009

S. O. 2606.—Whereas M/s Wheels International Ltd., [under Code No. RJ/6262 in Rajasthan Region] (hereinafter referred to as the establishment) has applied for exemption under clause (a) of sub-section (1) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the Act).

2. And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable to employees therein than those specified in section 6 of the said Act and the employees are also in enjoyment of other provident fund benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the Scheme) in relation to the employees in any other establishment of similar character.

3. Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the said Act and subject to the conditions specified in this regard from time to time, the Central Government, hereby, exempts the said establishment from the operation of all the provisions of the said Scheme with effect from 01-04-1996 until further notification.

[No. S-35015/49/2009-SS-II]

S. D. XAVIER, Under Secy.

नई दिल्ली, 3 सितम्बर, 2009

का.आ. 2607.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्द्वारा कागजनगर, असम स्थित हिन्दुस्तान पेपर कार्पोरेशन लिमिटेड के नौगांव पेपर मिल के नियमित कर्मचारियों को इस अधिनियम के प्रचालन से 01-10-1994 से 30-09-2010 तक की अवधि के लिए छूट प्रदान करती है ।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात् :-

1. पूर्वोक्त स्थापना जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगी, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिखाये जायेंगे ;
2. इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की

तारीख से पूर्व संदत्त अंशदानों के आधार पर हकदार हो जाते हैं ;

3. छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही किए जा चुके हों, तो वे वापस नहीं किए जाएंगे ;
4. उक्त कारखाने/स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने/स्थापना पर उक्त अधिनियम (जिसे इसमें इसके पश्चात "उक्त अवधि कहा गया है") प्रवर्तमान था ऐसी विवरणियां, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे अवधि की बाबत देनी अपेक्षित होती थीं ;
5. निगम द्वारा उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी ;
 - (i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरण की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ ; अथवा
 - (ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं ; या
 - (iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं ; या
 - (iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा :-
 - (क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है ; अथवा
 - (ख) प्रधान या आसन्न नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं ; या
 - (ग) प्रधान या आसन्न नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की, जो ऐसे कारखाने स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने

का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना;
या

(घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना;

(ङ) यथानिर्धारित अन्य शक्तियों का प्रयोग करना।

6. विनिवेश/निगमीकरण के मामले में, प्रदत्त छूट स्वतः रद्द हो जाएगी और तब नए प्रतिष्ठान को छूट हेतु समुचित सरकार की अनुमति लेनी होगी।

[सं. एस-38014/48/2008-एस.एस-1]

एस. डी. जेवियर, अवर सचिव

स्पष्टीकरण ज्ञापन :- इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्यवाही करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 3rd September, 2009

S.O. 2607.—In exercise of the power conferred by Section 88 read with Section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular employees of Nagaon Paper Mill of Hindustan Paper Corporation Limited located at Kagajnagar, Assam from the operation of the said Act for a period from 01-10-1994 to 30-09-2010.

2. The above exemption is subject to the following conditions, namely :—

- (1) The aforesaid establishment wherein the employees are employed shall maintain a register showing the name and designations of the exempted employees.
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;
- (3) The contributions for the exempted period, if already paid, shall not be refundable ;
- (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;
- (5) Any Inspector appointed by the Corporation under sub-section (1) of Section 45 of the said ESI Act or other official of the Corporation authorized in this behalf by it, shall, for the purpose of :—

(i) Verifying the particulars contained in any return submitted under sub-section (1) of Section 44 for the said period ; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or

(iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to be empowered to :

(a) require the principal or immediate employer to him such information as he may consider necessary for the purpose of this Act ; or

(b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary ; or

(c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee ; or

(d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises; or

(e) exercise such other powers as may be prescribed.

6. In case of disinvestment/corporatization, the exemption granted shall become automatically cancelled and then the new entity will have to approach the appropriate Government for exemption.

[No. S-38014/48/2008-SS-1]

S. D. XAVIER, Under Secy.

Explanatory Memorandum .—It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

नई दिल्ली, 3 सितम्बर, 2009

का. आ. 2608.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा भारतीय रिजर्व बैंक नोट मुद्रण (प्रा.) लिमिटेड, मैसूर के नियमित कर्मचारियों को उक्त अधिनियम के प्रचालन से 01-04-2009 से 30-09-2010 तक की अवधि के लिए छूट प्रदान करती है।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात् :-

1. पूर्वोक्त स्थापना जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगी, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिखाये जायेंगे ;
2. इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अंशदानों के आधार पर हकदार हो जाते हैं ;
3. छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही किए जा चुके हों, तो वे वापस नहीं किए जाएंगे ;
4. उक्त कारखाने/स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने/स्थापना पर उक्त अधिनियम (जिसे इसमें इसके पश्चात "उक्त अवधि कहा गया है") प्रवर्तमान था ऐसी विवरणियां, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं ;
5. निगम द्वारा उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी ;
 - (i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरण की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ ; अथवा
 - (ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं ; या
 - (iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं ; या
 - (iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के

उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा :-

- (क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; अथवा
- (ख) ऐसे प्रधान या आसन्न नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं ; या
- (ग) प्रधान या आसन्न नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या
- (घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना ;
- (ङ) यथानिर्धारित अन्य शक्तियों का प्रयोग करना।

6. विनिवेश/निगमीकरण के मामले में, प्रदत्त छूट स्वतः रद्द हो जाएगी और तब नए प्रतिष्ठान को छूट हेतु समुचित सरकार की अनुमति लेनी होगी।

[सं. एस-38014/48/2008-एस एस-1]

एस. डी. जेवियर, अवर सचिव

स्पष्टीकरण ज्ञापन :- इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्यवाही करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 3rd September, 2009

S. O. 2608.—In exercise of the power conferred by section 88 read with section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular employees of Bharatiya Reserve Bank Note Mudran (P) Ltd., Mysore from the operation of the said Act for a period from 01-04-2009 to 30-09-2010.

2. The above exemption is subject to the following conditions, namely :-

- (1) The aforesaid establishment wherein the employees are employed shall maintain a register showing the

- name and designations of the exempted employees.
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;
 - (3) The contributions for the exempted period, if already paid, shall not be refundable ;
 - (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;
 - (5) Any inspector appointed by the Corporation under sub-section (1) of Section 45 of the said ESI Act or other official of the Corporation authorized in this behalf by it, shall, for the purpose of :—
 - (i) Verifying the particulars contained in any returns submitted under sub-section (1) of Section 44 for the said period ; or
 - (ii) Ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
 - (iii) Ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) Ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to be empowered to :
 - (a) require the principal or immediate employer to him such information as he may consider necessary for the purpose of this Act ; or
 - (b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary ; or

- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee ; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises ;
- (e) exercise such other powers as may be prescribed.

6. In case of disinvestment/corporatization, the exemption granted shall become automatically cancelled and then the new entity will have to approach the appropriate Government for exemption.

[No. S-38014/48/2008-SS-I]

S. D. XAVIER, Under Secy.

Explanatory Memorandum:—It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

नई दिल्ली, 3 सितम्बर, 2009

का. आ. 2609.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्द्वारा भिलाई इस्पात संयंत्र, भिलाई के नियमित कर्मचारियों को उक्त अधिनियम के प्रचालन से 01-10-2007 से 30-09-2010 तक की अवधि के लिए छूट प्रदान करती है ।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात् :—

1. पूर्वोक्त स्थापना जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगी, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिखाये जायेंगे ;
2. इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अंशदानों के आधार पर हकदार हो जाते हैं ;
3. छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही किए जा चुके हों, तो वे वापस नहीं किए जाएंगे ;
4. उक्त कारखाने/स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने/स्थापना पर उक्त अधिनियम (जिसे इसमें इसके पश्चात् "उक्त अवधि कहा गया है")

प्रवर्तमान था ऐसी विवरणियां, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं ;

5. निगम द्वारा उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी ;

(i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरण की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ ; अथवा

(ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं ; या

(iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं ; या

(iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा :-

(क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; अथवा

(ख) ऐसे प्रधान या आसन्न नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं ; या

(ग) प्रधान या आसन्न नियोजक की, उसके अभिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या

(घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना ;

(ङ) यथानिर्धारित अन्य शक्तियों का प्रयोग करना ।

6. विनिवेश/निगमीकरण के मामले में, प्रदत्त छूट स्वतः रद्द हो जाएगी और तब नए प्रतिष्ठान को छूट हेतु समुचित सरकार की अनुमति लेनी होगी ।

[सं. एस-38014/48/2008-एस एस-1]

एस. डी. जेवियर, अवर सचिव

स्पष्टीकरण ज्ञापन :- इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्यवाही करने में समय लगा । तथापि, यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा ।

New Delhi, the 3rd September, 2009

S. O. 2609.—In exercise of the power conferred by Section 88 read with Section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular employees of Bhilai Steel Plant, Bhilai from the operation of the said Act for a period from 01-10-2007 to 30-09-2010.

2. The above exemption is subject to the following conditions, namely :-

(1) The aforesaid establishment wherein the employees are employed shall maintain a register showing the name and designations of the exempted employees.

(2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;

(3) The contributions for the exempted period, if already paid, shall not be refundable ;

(4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;

(5) Any inspector appointed by the Corporation under sub-section (1) of Section 45 of the said ESI Act or other official of the Corporation authorized in this behalf by it, shall, for the purpose of :-

(i) Verifying the particulars contained in any returns submitted under sub-section (1) of Section 44 for the said period ; or

- (ii) Ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
- (iii) Ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
- (iv) Ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to be empowered to :
 - (a) require the principal or immediate employer to him such information as he may consider necessary for the purpose of this Act ; or
 - (b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary ; or
 - (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee ; or
 - (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises;
 - (e) exercise such other powers as may be prescribed.

6. In case of disinvestment / corporatization, the exemption granted shall become automatically cancelled and then the new entity will have to approach the appropriate government for exemption.

[No.S-38014/48/2008-SS-I]

S. D. XAVIER, Under Secy.

Explanatory Memorandum:- It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

नई दिल्ली, 3 सितम्बर, 2009

का. आ. 2610.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित

धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा भारत रिफ्रेक्टरीज लिमिटेड [आईएफआईसीओ रिफ्रेक्टरीज प्लांट, हजारीबाग (बिहार), रांची रोड रिफ्रेक्टरीज प्लांट (झारखंड)] के नियमित कर्मचारियों को 01-10-2006 से 30-09-2010 तक की अवधि तक के लिए तथा [मिलाई रिफ्रेक्टरीज प्लांट (छत्तीसगढ़)] के नियमित कर्मचारियों को 01-10-2007 से 30-09-2010 तक की अवधि के लिए उक्त अधिनियम के प्रचालन से छूट प्रदान करती है।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात्—

1. पूर्वोक्त स्थापना जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगी, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिखाये जायेंगे ;
2. इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अंशदानों के आधार पर हकदार हो जाते हैं ;
3. छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही किए जा चुके हों, तो वे वापस नहीं किए जाएंगे ;
4. उक्त कारखाने/स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने/स्थापना पर उक्त अधिनियम (जिसे इसमें इसके पश्चात "उक्त अवधि कहा गया है") प्रवर्तमान था ऐसी विवरणियां, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं ;
5. निगम द्वारा उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी ;
 - (i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरण की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ ; अथवा
 - (ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं ; या
 - (iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं ; या
 - (iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के

उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा :-

- (क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; अथवा
- (ख) ऐसे प्रधान या आसन्न नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या
- (ग) प्रधान या आसन्न नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या
- (घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना;
- (ङ) यथानिर्धारित अन्य शक्तियों का प्रयोग करना।

6. विनिवेश/निगमीकरण के मामले में, प्रदत्त छूट स्वतः रद्द हो जाएगी और तब नए प्रतिष्ठान को छूट हेतु समुचित सरकार की अनुमति लेनी होगी।

[सं. एस-38014/48/2008-एस एस-1]

एस. डी. जेंवियर, अवर सचिव

स्पष्टीकरण ज्ञापन :- इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्यवाही करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 3rd September, 2009

S. O. 2610.—In exercise of the power conferred by section 88 read with section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular employees of Bharat Refractories Ltd. [IFICO Refractories Plant, Hazaribagh, (Bihar), Ranchi Road Refractories Plant (Jharkhand)] from the operation of the said Act for a period from 01-10-2006 to 30-09-2010 and Bhillai Refractories Plant (Chhattisgarh) for a period from 01-10-2007 to 30-09-2010.

2. The above exemption is subject to the following conditions, namely :-

- (1) The aforesaid establishment wherein the employees are employed shall maintain a register showing the name and designations of the exempted employees.
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refundable;
- (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (5) any inspector appointed by the Corporation under sub-Section (1) of Section 45 of the said ESI Act or other official of the Corporation authorized in this behalf by it, shall, for the purpose of :-
 - (i) Verifying the particulars contained in any returned submitted under sub-section (1) of section 44 for the said period; or
 - (ii) Ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) Ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) Ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to be empowered to :
 - (a) require the principal or immediate employer to him such information as he may consider necessary for the purpose of this Act; or
 - (b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or

- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises;
- (e) exercise such other powers as may be prescribed.

6. In case of disinvestment / corporatization, the exemption granted shall become automatically cancelled and then the new entity will have to approach the appropriate Government for exemption.

[No. S-38014/48/2008-SS-I]

S. D. XAVIER, Under Secy.

Explanatory Memorandum:- It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

नई दिल्ली, 3 सितम्बर, 2009

का. आ. 2611.—केंद्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा राष्ट्रीय उर्वरक लिमिटेड, पानीपत इकाई के नियमित तथा सी आई एस एफ कर्मचारियों को उक्त अधिनियम के प्रचालन से 29-09-2005 से 30-09-2010 तक की अवधि के लिए छूट प्रदान करती है।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात् :-

1. पूर्वोक्त स्थापना जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगी, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिखाये जायेंगे ;
2. इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अंशदानों के आधार पर हकदार हो जाते हैं ;
3. छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही किए जा चुके हों, तो वे वापस नहीं किए जाएंगे ;
4. उक्त कारखाने/स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने/स्थापना पर उक्त अधिनियम (जिसे इसमें इसके पश्चात् "उक्त अवधि कहा गया है") प्रवर्तमान था ऐसी विवरणियां, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण)

विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं ;

5. निगम द्वारा उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी ;

(i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरण की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ ; अथवा

(ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं ; या

(iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं ; या

(iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा :-

- (क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है ; अथवा
- (ख) ऐसे प्रधान या आसन्न नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं ; या
- (ग) प्रधान या आसन्न नियोजक की, उसके अभिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या
- (घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना ;
- (ङ) यथानिर्धारित अन्य शक्तियों का प्रयोग करना ।

6. विनिवेश/निगमीकरण के मामले में, प्रदत्त छूट स्वतः रद्द हो जाएगी और तब नए प्रतिष्ठान को छूट हेतु समुचित सरकार की अनुमति लेनी होगी।

[सं. एस-38014/48/2008-एस एस-1]

एस. डी. जेवियर, अवर सचिव

स्पष्टीकरण ज्ञापन :- इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्यवाही करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 3rd September, 2009

S. O. 2611.—In exercise of the power conferred by Section 88 read with Section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular and CISF employees of National Fertilizers Ltd., Panipat Unit from the operation of the said Act for a period from 29-09-2005 to 30-09-2010.

2. The above exemption is subject to the following conditions, namely :—

- (1) The aforesaid establishment wherein the employees are employed shall maintain a register showing the name and designations of the exempted employees.
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;
- (3) The contributions for the exempted period, if already paid, shall not be refundable ;
- (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the 'Employees' State Insurance (General) Regulations, 1950 ;
- (5) Any inspector appointed by the Corporation under sub-section (1) of Section 45 of the said ESI Act or other official of the Corporation authorized in this behalf by it, shall, for the purpose of :—
 - (i) Verifying the particulars contained in any returns submitted under sub-section (1) of Section 44 for the said period ; or
 - (ii) Ascertaining whether registers and records were maintained as required by the Employees' State

Insurance (General) Regulations, 1950 for the said period ; or

- (iii) Ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
- (iv) Ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to be empowered to :
 - (a) require the principal or immediate employer to him such information as he may consider necessary for the purpose of this Act ; or
 - (b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary ; or
 - (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee ; or
 - (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises ;
 - (e) exercise such other powers as may be prescribed.

6. In case of disinvestment / corporatization, the exemption granted shall become automatically cancelled and then the new entity will have to approach the appropriate Government for exemption.

[No. S-38014/48/2008-SS-1]

S. D. XAVIER, Under Secy.

Explanatory Memorandum:— It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

नई दिल्ली, 3 सितम्बर, 2009

का. आ. 2612.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा अनुसूची में विनिर्दिष्ट कारखानों/स्थापनाओं के नियमित कर्मचारियों को उक्त अधिनियम के प्रचालन से 01-10-2006 से 30-09-2010 तक की अवधि के लिए छूट प्रदान करती है।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है, अर्थात् :—

1. पूर्वोक्त स्थापना जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगी, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिखाये जायेंगे ;
2. इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अंशदानों के आधार पर हकदार हो जाते हैं ;
3. छूट प्राप्त अवधि के लिए, यदि कोई अभिधाय पहले ही किए जा चुके हों, तो वे वापस नहीं किए जाएंगे ;
4. उक्त कारखाने/स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने/स्थापना पर उक्त अधिनियम (जिसे इसमें इसके पश्चात "उक्त अवधि कहा गया है") प्रवर्तमान था ऐसी विवरणियाँ, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं ;
5. निगम द्वारा उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी ;
 - (i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरण की विशिष्टियों को स्थापित करने के प्रयोजनार्थ ; अथवा
 - (ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं ; या
 - (iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं ; या
 - (iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के

उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा :—

- (क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है; अथवा
- (ख) ऐसे प्रधान या आसन्न नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियाँ और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं ; या
- (ग) प्रधान या आसन्न नियोजक की, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या
- (घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना ;
- (ङ) यथानिर्धारित अन्य शक्तियों का प्रयोग करना।

6. विनिवेश/निगमीकरण के मामले में, प्रदत्त छूट स्वतः रह हो जाएगी और तब नए प्रतिष्ठान को छूट हेतु समुचित सरकार की अनुमति लेनी होगी।

अनुसूची

क्रम संख्या	स्थापना/कारखाने का नाम
1.	नेशनल इन्व्क्वर्मेंटल इंजीनियरिंग रिसर्च इंस्टीट्यूट, नागपुर
2.	सेन्ट्रल टूल रूम, लुधियाना
3.	हिन्दुस्तान फोटो फिल्म मेन्यूफैक्चरिंग कम्पनी लिमिटेड, इन्दुनगर, ऊटकमंड तथा अम्बातूर, चेन्नई स्थित एक सहायक इकाई, कोचीन, बंगलौर, हैदराबाद, भोपाल, चंडीगढ़, पटना और कोयंबटूर स्थित शाखाओं को, कवर करते हुए चेन्नई, मुम्बई तथा कोलकता स्थित इसके क्षेत्रीय कार्यालयों के साथ विपणन प्रभाग।

[सं. एस-38014/48/2008-एस एस-I]

एस. डी. जेवियर, अवर सचिव

स्पष्टीकरण ज्ञापन :- इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्यवाही करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 3rd September, 2009

S. O. 2612.—In exercise of the power conferred by Section 88 read with Section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular employees of factories/establishments specified in the schedule from the operation of the said Act for a period from 01-10-2006 to 30-09-2010.

2. The above exemption is subject to the following conditions, namely :-

- (1) The aforesaid establishment wherein the employees are employed shall maintain a register showing the name and designations of the exempted employees.
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;
- (3) The contributions for the exempted period, if already paid, shall not be refundable ;
- (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;
- (5) Any inspector appointed by the Corporation under sub-section (1) of Section 45 of the said ESI Act or other official of the Corporation authorized in this behalf by it, shall, for the purpose of :-
 - (i) Verifying the particulars contained in any returns submitted under sub-section (1) of Section 44 for the said period ; or
 - (ii) Ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
 - (iii) Ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) Ascertaining whether any of the provisions of the Act had been complied with during the period when

such provisions were in force in relation to the said factory to be empowered to :

- (a) require the principal or immediate employer to him such information as he may consider necessary for the purpose of this Act ; or
- (b) At any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary ; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee ; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises;
- (e) exercise such other powers as may be prescribed.

6. In case of disinvestment/corporatization, the exemption granted shall become automatically cancelled and then the new entity will have to approach the appropriate Government for exemption.

SCHEDULE

S. No.	Name of the Establishment/Factory
1.	National Environmental Engineering Research Institute, Nagpur
2.	Central Tool Room, Ludhiana
3.	Hindustan Photo Films Mfg Co. Ltd., Indunagar, Ootacamund & a subsidiary unit at Ambattur, Chennai, Marketing Division with its Regional Offices at Chennai, Mumbai, Delhi and Kolkata covering the branches at Cochin, Bangalore, Hyderabad, Bhopal, Chandigarh, Patna and Coimbatore.

[No. S-38014/48/2008-SS-I]

S. D. XAVIER, Under Secy.

Explanatory Memorandum:- It has become necessary to give retrospective effect to the exemption in this case as processing of the applications for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.